

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

Jointly Administered

**Re: Docket No. 18**

**SUPPLEMENT TO DEBTORS' BAR DATE MOTION**

**PLEASE TAKE NOTICE** that, on February 18, 2020, the Boy Scouts of America (the “BSA”) and Delaware BSA, LLC, the non-profit corporations that are debtors and debtors in possession in the above-captioned chapter 11 cases (together, the “Debtors”), filed the *Debtors’ Motion, Pursuant to 11 U.S.C. § 502(b)(9), Bankruptcy Rules 2002 and 3003(c)(3), and Local Rules 2002-1(e), 3001-1, And 3003-1, for Authority to (I) Establish Deadlines for Filing Proofs of Claim, (II) Establish the Form and Manner of Notice Thereof, (III) Approve Procedures for Providing Notice of Bar Date and Other Important Information to Abuse Victims, and (IV) Approve Confidentiality Procedures for Abuse Victims* [Docket No. 18] (the “Bar Date Motion”).

**PLEASE TAKE FURTHER NOTICE** that pursuant to the Bar Date Motion, the Debtors submit this notice to supplement the Bar Date Motion in advance of any hearing with:

- (i) a revised proposed order granting the relief requested in the Bar Date Motion (the “Revised Proposed Order”);<sup>2</sup>
- (ii) a revised form of notice of the Bar Dates to be sent to parties in interest other than Abuse Survivors (“Revised General Bar Date Notice”);
- (iii) the form of notice to be sent to known Abuse Survivors (the “Abuse Claims Bar Date Notice”);
- (iv) the form of notice to be sent to and published with respect to unknown Abuse Survivors (the “Abuse Claims Publication Notice”);
- (v) the form of notice to be emailed to unknown Abuse Survivors (the “Abuse Claims Email Notice”);

<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors’ mailing address is 1325 WestWalnut Hill Lane, Irving, Texas 75038.

<sup>2</sup> Capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in the Bar Date Motion or the Revised Proposed Order as applicable.

- (vi) the proposed Proof of Claim form for Abuse Survivors (the “Abuse Survivor Proof of Claim Form”); and
- (vii) a revised form of confidentiality agreement (the “Revised Confidentiality Agreement”); and
- (viii) the Debtors’ plan and other specialized supplement procedures (the “Supplemental Notice Plan,” and together with the Revised Proposed Order, the Revised General Bar Date Notice, the Abuse Claims Bar Date Notice, and the Abuse Proof of Claim Form, the “Supplemental Notice Documents”).

**PLEASE TAKE FURTHER NOTICE** that the Debtors are currently engaged in discussions with the Tort Claimants’ Committee, the Future Claimants’ Representative, the Unsecured Creditors Committee, and the Ad Hoc Committee of Local Councils with respect to these documents, and such parties have not agreed to the form of documents as filed.

**PLEASE TAKE FURTHER NOTICE** that the following exhibits are attached hereto:

- Exhibit 1** Supplemental Notice Plan.
- Exhibit 2** Revised Proposed Order, which was previously attached to the Bar Date Motion as Exhibit A.
- Exhibit 3** Redline of the Revised Proposed Order compared against the version originally filed with the Bar Date Motion.
- Exhibit 4** Revised General Bar Date Notice, which was previously attached to the Bar Date Motion as Exhibit B-1.
- Exhibit 5** Redline of the Revised General Bar Date Notice compared against the version originally filed with the Bar Date Motion.
- Exhibit 6** Abuse Claims Bar Date Notice.
- Exhibit 7** Abuse Claims Publication Notice.
- Exhibit 8** Abuse Claims Email Notice, which is to be included as an additional method to the Abuse Claims Publication Notice pursuant to the Supplemental Notice Plan.
- Exhibit 9** Abuse Survivor Proof of Claim Form.
- Exhibit 10** Revised Confidentiality Agreement, which was previously attached to the Bar Date Motion as Exhibit D.
- Exhibit 11** Redline of the Revised Confidentiality Agreement compared against the version originally filed with the Bar Date Motion.

Dated: May 4, 2020  
Wilmington, Delaware

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**Exhibit 1**

**Supplemental Notice Plan**

**FCRA00004**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

(Jointly Administered)

**SUPPLEMENTAL NOTICE PLAN**

1. This Supplemental Notice Plan is submitted in connection with the *Debtors'* Motion, Pursuant to 11 U.S.C. § 502(b)(9), Bankruptcy Rules 2002 and 3003(c)(3), and Local Rules 2002-1(e), 3001-1, and 3003-1, for Authority to (I) Establish Deadlines for Filing Proofs of Claim, (II) Establish the Form and Manner of Notice Thereof, (III) Approve Procedures for Providing Notice of Bar Date and Other Important Information to Abuse Victims, and (IV) Approve Confidentiality Procedures for Abuse Victims [Docket No. 18] (the “Bar Date Motion”)<sup>2</sup> filed in the chapter 11 cases of the Boy Scouts of America (the “BSA”) and Delaware BSA, LLC (together, the “Debtors”).

2. The Supplemental Notice Plan summarizes the dissemination effort that will be undertaken in these chapter 11 cases to provide fair and adequate notice of the Abuse Claims Bar Date to potential Abuse Survivors who may hold Abuse Claims but whose names, addresses, and identities are not known to the Debtors. The development and methodology used in the creation of the Supplemental Notice Plan, including the selection of the target audience and the media usage of the target audience, is described in greater detail in the *Declaration of Shannon R.*

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<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtors' federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors' mailing address is 1325 West Walnut Hill Lane, Irving, Texas 75038.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Bar Date Motion or the proposed order approving the Bar Date Motion, filed concurrently herewith.

*Wheatman, Ph.D in Support of Procedures for Providing Direct Notice and Supplemental Notice Plan to Provide Notice of Bar Date to Abuse Survivors* (the “Wheatman Declaration”), filed concurrently herewith. The Supplemental Notice Plan consists of the following:

<b>MEDIA</b>	<b>DESCRIPTION</b>
<i>U.S. Television</i>	<ul style="list-style-type: none"> <li>❖ National (ABC and CBS) and Cable Networks</li> <li>❖ Connected TV</li> </ul>
<i>U.S. Radio</i>	<ul style="list-style-type: none"> <li>❖ National Networks (Premiere and Westwood One)</li> <li>❖ Satellite</li> <li>❖ Streaming: iHeartRadio, Pandora, Spotify, and TuneIn</li> </ul>
<i>U.S. Print</i>	<ul style="list-style-type: none"> <li>❖ 8 National Magazines</li> <li>❖ 10 Local Hispanic Newspapers</li> </ul>
<i>U.S. Online</i>	<ul style="list-style-type: none"> <li>❖ Banner &amp; Video Display</li> <li>❖ Social Media (Facebook/Instagram, Pinterest, Reddit, Twitter, and YouTube)</li> <li>❖ Targeted Online / Hispanic Online</li> <li>❖ Keyword Search Campaign: Google and Bing</li> </ul>
<i>Boy Scouts Media</i>	<ul style="list-style-type: none"> <li>❖ <i>Scouting</i> (digital edition)</li> <li>❖ Websites/Blogs</li> <li>❖ BSA Social Channels (Facebook/Instagram/Twitter)</li> </ul>
<i>U.S. Territories</i>	<ul style="list-style-type: none"> <li>❖ 12 Newspapers</li> <li>❖ Social Media (Facebook/Instagram, Pinterest, Reddit, Twitter, and YouTube)</li> <li>❖ Targeted Online</li> </ul>
<i>Military</i>	<ul style="list-style-type: none"> <li>❖ 11 editions of <i>Stars &amp; Stripes</i>, covering Europe, the Middle East, and the Pacific</li> <li>❖ Online: Military Ad Network, FamilyMedia.com, Military.com, and MilitarySpouse.com</li> </ul>
<i>Earned</i>	<ul style="list-style-type: none"> <li>❖ Press Release</li> </ul>
<i>Community Outreach</i>	<ul style="list-style-type: none"> <li>❖ Chartered Organizations</li> <li>❖ Sexual Abuse Groups</li> <li>❖ Correctional Facility Contacts</li> <li>❖ USO Centers, Department of Defense Schools, Military Bases, and Military Public Affairs Offices</li> </ul>

This Supplemental Notice Plan contains the following elements, each of which is discussed in further detail in the Wheatman Declaration:

- **Television.** Thirty-second advertisements will be aired throughout the day on national broadcast and cable networks and on devices connected to the Internet (“Connected TV”). National television spots will run for six to seven weeks across broadcast and cable networks. Advertisements will run on Connected TV for four weeks during

programs that are streamed online through video services, including Scripps Network, TNT, Crackle, Discovery Channel, ESPN, Fox News, A&E, Bloomberg, CNN, and Hulu. Specific programming will depend upon availability at the time that media is purchased.

- **Radio.** Notice in the form of 30-second national radio spots will run for four to five weeks on national network radio (English and Hispanic), satellite radio (an estimated 225 spots will air on top channels through Sirius XM, which may include Fox News, CNN, Mad Dog Sports Radio, CNBC, and Fox Business), and streaming radio (including services such as iHeartRadio, Pandora, Spotify, and TuneIn). Notice will be provided through radio networks broadcasting a variety of programming, including sports, news, entertainment, and talk-radio. Specific programming will depend upon availability at the time that media is purchased.
- **Print.** The Abuse Claims Publication Notice will appear in eight (8) national magazine publications. The Abuse Claims Publication Notice will also be translated into Spanish and placed into ten (10) newspapers with coverage in the top ten media markets with the heaviest concentration of Hispanic adults. The Abuse Claims Publication Notice will be translated, when necessary, and placed into twelve (12) newspapers with circulation in American Samoa, Guam, Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.
- **Online.** Targeted Internet banner advertising will be used to reach potential claimants, with animation and moving images and text across devices (desktop, mobile and tablet). Over 89 million gross impressions will be purchased across two online networks. If the schedule for the Supplemental Notice Plan permits, the Abuse Claims Publication Notice will appear in the digital edition of *Scouting*, the BSA's general interest, news, and informational publication for all registered BSA adult volunteers and professionals. Spanish language online ads will be delivered on Pulpo Media Network. Banner ads will also be delivered via the Catholic Audience Network, a premium ad network consisting of over 500 family-friendly Catholic-oriented sites.
- **Social Media.** Text, image, and video ads will be delivered on five social media networks, including Facebook/Instagram, Pinterest, Reddit, Twitter, and YouTube. BSA will also post information on its social media pages, including: Facebook (Boy Scouts, Cub Scouts, Venturing, Scouting Magazine, Summit, Philmont, Northern Tier, Sea Base, NESA, ScoutShop, Exploring, and Sea Scouts), Instagram (Boy Scouts and Cub Scouts), and Twitter (Boy Scouts and Cub Scouts). Information about the Abuse Claims Bar Date will also be posted on BSA-owned websites/blogs. To help search engine users locate the Debtors' chapter 11 case website, sponsored links will be purchased.
- **Social Media to Third Parties.** Ads will be delivered on two social media networks to reach professionals who may have contact with potential claimants, including therapists/clinicians, social service agencies/social workers, law enforcement/prison officials, and veterans health administrators.
- **Foreign Military Media Components.** The Abuse Claims Publication Notice will appear in eleven (11) international editions of *Stars and Stripes*, which reach active-duty military and their families. This will include daily editions covering Europe, the Pacific,

and the Middle East, weekly editions covering four countries in the Pacific, and monthly editions covering four areas in Germany. Banner ads will also appear on the Military Audience Network, Military.com, MilitarySpouses.com, and FamilyMedia.com over a four to five week span. These ads will be targeted to people located outside of the United States.

- **Community Outreach.** Certain groups, including chartered organizations, U.S. correctional facility contacts, USO centers, international churches, sexual abuse support groups, and international military bases, will be contacted via first class mail or email and will be provided with the Abuse Claims Publication Notice and asked to share information with their members.
- **Earned Media.** An earned media program will be implemented to amplify the paid media and provide additional notice to potential claimants. A nationwide press release will be distributed on PR Newswire's US1 news circuit reaching 5,400 traditional media outlets (television, radio, newspapers, magazines) and 4,000 national websites. The release will highlight the toll-free telephone number and case website address.

3. In addition to the elements described above, a form of the Abuse Claims Publication Notice adapted for email format (the Abuse Claims Email Notice) will be sent to current and former scouts, volunteers, and parents who have provided an email address to the Debtors since 1999. Additionally, an address trace, using a third party vendor, will be done to locate current email addresses for adult scouts, parents of minor children, alumni, and volunteers who provided only a mailing address to the Debtors since 2012. The Abuse Claims Email Notice includes a sentence in Spanish to alert people that a Spanish version of the notice is available at the case website or by calling the Debtors' toll-free phone number. Spanish version of the Abuse Claims Email Notice will be sent to individuals who purchased a Spanish Handbook from the Debtors online via Scout Shop and provided an email address to the Debtors. This email effort is anticipated to reach over 10 million potential claimants.

4. In total, this Supplemental Notice Plan is estimated to reach approximately 95.9% of Men 50+ (as defined in the Wheatman Declaration), the primary target audience of potential claimants, with an average frequency of 6.5 times in the United States.



**Exhibit 2**

**Revised Proposed Order**

**FCRA00009**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

(Jointly Administered)

Ref. Docket Nos. 18 & \_\_\_\_

**ORDER, PURSUANT TO 11 U.S.C. § 502(b)(9), BANKRUPTCY RULES 2002  
AND 3003(c)(3), AND LOCAL RULES 2002-1(e), 3001-1, AND 3003-1,  
(I) ESTABLISHING DEADLINES FOR FILING PROOFS OF CLAIM,  
(II) ESTABLISHING THE FORM AND MANNER OF NOTICE THEREOF,  
(III) APPROVING PROCEDURES FOR PROVIDING NOTICE OF BAR DATE  
AND OTHER IMPORTANT INFORMATION TO ABUSE SURVIVORS, AND  
(IV) APPROVING CONFIDENTIALITY PROCEDURES FOR ABUSE SURVIVORS**

Upon the motion (the “Motion”)<sup>2</sup> of the Boy Scouts of America and Delaware BSA, LLC, the non-profit corporations that are debtors and debtors in possession in the above-captioned chapter 11 cases (together, the “Debtors”) for entry of an order (this “Order”), (i) establishing deadlines by which General Proofs of Claim and Abuse Survivor Proofs of Claim against the Debtors’ estates are to be filed, (ii) approving the proposed procedures for filing General Proofs of Claim and Abuse Survivor Proofs of Claim, including special procedures for holders of Abuse Claims (“Abuse Survivors”) to file confidential Abuse Survivor Proofs of Claim, (iii) approving the proposed procedures for notice of the bar dates, including the form of Bar Date Notices, (iv) approving the General Proof of Claim Form and the Abuse Survivor Proof of Claim Form, (v) approving the forms of supplemental notice and procedures for providing

<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors’ mailing address is 1325 West Walnut Hill Lane, Irving, Texas 75038.

<sup>2</sup> All capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in the Motion.

notice to unknown Abuse Survivors and other unknown creditors and parties in interest, and (vi) granting related relief; and upon consideration of the First Day Declaration and the declaration of Shannon Wheatman in support of the Motion and the Supplemental Notice Plan (the “Wheatman Declaration”); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012; and this matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and the Debtors having consented to the entry of a final order by this Court under Article III of the United States Constitution; and venue of this proceeding and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the Debtors’ notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court, if any; and all objections, if any, to the Motion having been withdrawn, resolved or overruled; and the relief requested in the Motion being in the best interests of the Debtors’ estates, their creditors and other parties in interest; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The relief requested in the Motion is GRANTED as set forth herein.
2. The following procedures for filing General Proofs of Claim are approved:
  - (a) Unless otherwise provided herein, the General Bar Date shall be **5:00 p.m. (prevailing Eastern Time) on October 6, 2020.**
  - (b) Unless otherwise provided herein, the Governmental Bar Date shall be **August 17, 2020 at 5:00 p.m. (prevailing Eastern Time).**

- (c) **General Proofs of Claim** must: (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) conform substantially to the General Proof of Claim Form attached to this Order as **Exhibit 5** or Official Bankruptcy Form No. 410; (iv) specify by name and case number the Debtor against which the General Proof of Claim is filed; (v) set forth with specificity the legal and factual basis for the alleged claim; (vi) include supporting documentation for the claim or an explanation as to why such documentation is not available; and (vii) be signed by the claimant or, if the claimant is not an individual, by an authorized agent or authorized representative of the claimant.
- (d) Any General Proof of Claim that does not clearly identify the Debtor against which the claim is asserted and the case number will be deemed as being submitted only against the Boy Scouts of America.
- (e) If a claimant asserts a claim against more than one Debtor or has claims against both Debtors, the claimant must file a separate General Proof of Claim against each Debtor. To the extent a submitted General Proof of Claim identifies more than one Debtor, such proof of claim will be deemed as being submitted only against the first-identified Debtor.
- (f) General Proofs of Claim must be filed either (i) electronically through the Claims and Noticing Agent's website using the interface available on the website located at <http://www.omniagentsolutions.com/bsaclaims> (the "Electronic Filing System") or (ii) by delivering the original General Proof of Claim by hand, or mailing the original General Proof of Claim so that it is received by the Claims and Noticing Agent on or before the General Bar Date as follows:

**BSA Claims Processing  
c/o Omni Agent Solutions  
5955 De Soto Ave., Suite 100  
Woodland Hills, CA 91367**

- (g) A General Proof of Claim shall be deemed timely filed only if it is **actually received** by the Claims and Noticing Agent (i) at the address listed in subparagraph (f) above or (ii) electronically through the Electronic Filing System on or before the General Bar Date or Governmental Bar Date, as applicable.
- (h) General Proofs of Claim sent by email, facsimile, or telecopy transmission (other than General Proofs of Claim filed electronically through the Electronic Filing System) **shall not** be accepted.

- (i) Any person or entity (including, without limitation, individuals, partnerships, corporations, joint ventures, trusts, and Governmental Units) that asserts a claim that arises from the rejection of an executory contract or unexpired lease must file a General Proof of Claim based on such rejection by the later of (i) the General Bar Date or Governmental Bar Date, as applicable, and (ii) the date that is thirty (30) days following the entry of the Court order approving such rejection, (which order may be the order confirming a chapter 11 plan in the Debtors' chapter 11 cases) or be forever barred from doing so.
- (j) Notwithstanding the foregoing, a party to an executory contract or unexpired lease that asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a General Proof of Claim for such amounts on or before the General Bar Date or Governmental Bar Date, as applicable, unless an exception identified in subparagraph (m) below applies.
- (k) In the event that the Debtors amend or supplement their Schedules subsequent to the date of entry of this Order, the Debtors shall give notice of any amendment or supplement to the holders of claims affected thereby, and such holders shall have until the later of (i) the General Bar Date and (ii) thirty (30) days from the date of such notice to file a General Proof of Claim or be barred from doing so and shall be given notice of such deadline.
- (l) Any person or entity that relies on the Schedules has the responsibility to determine that its claim is accurately listed in the Schedules.
- (m) The following persons or entities are **not** required to file a General Proof of Claim on or before the General Bar Date, solely with respect to the claims described below:
  - (1) any person or entity whose claim is listed on the Schedules; provided that (i) the claim is **not** listed on the Schedules as "disputed," "contingent," or "unliquidated," (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
  - (2) any person or entity whose claim has been paid in full;
  - (3) any holder of a claim allowable under section 503(b) and 507(a)(2) of the Bankruptcy Code as an administrative expense (**other than** a holder of a section 503(b)(9) claim);

- (4) any person or entity who holds a claim that heretofore has been allowed by order of this Court entered on or before the applicable Bar Date;
- (5) any holder of a claim for which a separate deadline has been fixed by order of this Court;
- (6) any person or entity (other than an Abuse Survivor) who has, as of the date of this Order, already filed a Proof of Claim with the Claims and Noticing Agent against the Debtors with respect to the claim being asserted, utilizing a claim form that substantially conforms to the General Proof of Claim Form or Official Form No. 410; or
- (7) either Debtor in these chapter 11 cases having a claim against the other Debtor in these chapter 11 cases.

3. An individual should submit an Abuse Survivor Proof of Claim, in the form annexed to this Order as **Exhibit 6**, and not a General Proof of Claim, if the individual holds a claim against the Debtors that is attributable to, arises from, is based upon, relates to, or results from, in whole or in part, directly, indirectly, or derivatively, Abuse. For purposes of this Order, “**Abuse**” means sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, indecent assault and/or battery, rape, pedophilia, ephebophilia, sexually related psychological or emotional harm, humiliation, anguish, shock, sickness, disease, disability, dysfunction, or intimidation, any other sexual misconduct or injury, contacts or interactions of a sexual nature, including the use of photography, video, or digital media, or other physical abuse or bullying without regard to whether such physical abuse or bullying is of a sexual nature, between a child and an adult, between a child and another child, or between a non-consenting adult and another adult, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether there is or was any associated physical, psychological, or emotional harm to the child or non-consenting adult.

4. The following procedures for filing an Abuse Survivor Proof of Claim are approved:

- (a) Unless otherwise provided herein, the Abuse Claims Bar Date shall be the **5:00 p.m. (prevailing Eastern Time) on October 6, 2020.**
- (b) **Abuse Survivor Proofs of Claim** must: (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) conform substantially to the Abuse Survivor Proof of Claim Form annexed to this Order as **Exhibit 6**; (iv) set forth with specificity the legal and factual basis for the alleged claim, including all of the information requested in the Abuse Survivor Proof of Claim Form; and (v) be signed by the Abuse Survivor.
- (c) Any Abuse Survivor Proof of Claim that does not clearly identify the Debtor against which the claim is asserted and the case number will be deemed as being submitted only against Boy Scouts of America.
- (d) To the extent a submitted Abuse Survivor Proof of Claim identifies more than one Debtor, such proof of claim will be deemed as being submitted only against Boy Scouts of America.
- (e) Abuse Survivor Proofs of Claim must be filed either (i) electronically through the Electronic Filing System available on the website located at [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com) or (ii) by delivering the original Abuse Survivor Proof of Claim Form by hand, or mailing the original Abuse Survivor Proof of Claim Form on or before the Abuse Claims Bar Date as follows:

**BSA Abuse Claims Processing  
c/o Omni Agent Solutions  
5955 De Soto Ave., Suite 100  
Woodland Hills, CA 91367**

- (f) An Abuse Survivor Proof of Claim shall be deemed timely received only if it is **actually received** by the Claims and Noticing Agent (i) at the address listed above in subparagraph (e) or (ii) electronically through the Electronic Filing System available at [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com) on or before the Abuse Claims Bar Date.
- (g) Abuse Survivor Proofs of Claim sent by email, facsimile, or telecopy transmission (other than Abuse Survivor Proofs of Claim filed electronically through the Electronic Filing System) **shall not** be accepted.
- (h) **Any Abuse Survivor who believes that she or he has an Abuse Claim, including but not limited to Abuse Survivors who have previously**

filed lawsuits or asserted claims against the Debtors, Abuse Survivors who have called the Scouts First Hotline or otherwise reported a claim of abuse, and Abuse Survivors who have never filed a lawsuit, asserted a claim against the Debtors, entered into a settlement, or reported their abuse, must submit the applicable Abuse Survivor Proof of Claim Form. For the avoidance of doubt, even if the Abuse Claim is time-barred under an applicable statute of limitations, each Abuse Survivor is required to file an Abuse Survivor Proof of Claim in order to preserve the right to pursue an Abuse Claim in the event of a change in the applicable statute of limitations, or shall be forever barred from doing so. Any Abuse Survivor must file the applicable Abuse Survivor Proof of Claim Form even if such claimant may be included in, or represented by, another action filed against the Debtors with respect to such claimant's Abuse Claim.

- (i) The following persons are **not** required to file an Abuse Survivor Proof of Claim on or before the Abuse Claims Bar Date, solely with respect to the claims described below:
  - (1) Any person who is not an Abuse Survivor;
  - (2) Any Abuse Survivor whose claim has been paid in full; **provided, however, that this subsection does not include Abuse Survivors who were paid pursuant to settlement agreements but who believe they have additional claims against the Debtors beyond what was agreed to in the applicable settlement agreement;**
  - (3) any Abuse Survivor who holds a claim that heretofore has been allowed by order of this Court entered on or before the applicable Abuse Claims Bar Date; and
  - (4) any individual holding a claim based on abuse that occurred prior to the Petition Date, but who (a) had not attained eighteen (18) years of age as of the date immediately preceding the Petition Date, or (b) was not aware of their Abuse Claim as a result of "repressed memory," to the extent the concept of repressed memory is recognized by the highest appellate court of the State or territory where the claim arose.

5. For the avoidance of doubt, the procedures set forth in paragraph 4 above shall apply to all Abuse Survivors only, and, unless otherwise subject to one of the exceptions specifically enumerated above, each Abuse Survivor (including Abuse Survivors (i) whose Abuse Claims may otherwise be included in, or represented by, a lawsuit or action filed against



the Debtors, and (ii) **even if an Abuse Survivor's Abuse Claim is time-barred under an applicable statute of limitations, in order to preserve the right to pursue an Abuse Claim in the event of a change in the applicable statute of limitations**) shall be required to file an Abuse Survivor Proof of Claim before the Abuse Claims Bar Date or be forever barred, estopped, and enjoined from asserting such claims.

6. The following "Confidentiality Protocol" shall apply with respect to Proofs of Claim:

- (a) Abuse Survivors are directed **not** to file an Abuse Survivor Proof of Claim with the Court. Instead and as described above, the Abuse Survivor Proof of Claim must be mailed and delivered to the Claims and Noticing Agent at the following address: **BSA Abuse Claims Processing, c/o Omni Agent Solutions, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367** or filed through the Electronic Filing System via the website located at [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com).
- (b) Minors and their parents and legal guardians holding non-Abuse Claims are directed **not** to file a General Proof of Claim with the Court. Instead and as described above, the General Proof of Claim must be mailed and delivered to the Claims and Noticing Agent at the following address: **BSA Claims Processing, c/o Omni Agent Solutions, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367** or filed through the Electronic Filing System via the website located at <http://www.omniagentsolutions.com/bsaclaims>.
- (c) Submitted Abuse Survivor Proofs of Claim will not be available to the general public unless the Abuse Survivor designates otherwise on the Abuse Survivor Proof of Claim Form. Submitted General Proofs of Claim related to minors will not be available to the general public. The Confidentiality Protocol is for the benefit of such holders. Abuse Survivors may, solely in their discretion, elect to make public the information contained in their submitted Abuse Survivor Proofs of Claim.
- (d) Abuse Survivor Proofs of Claim submitted by Abuse Survivors and General Proofs of Claim submitted on behalf of minors shall be held and treated as confidential by the Claims and Noticing Agent, the Debtors, the Debtors' counsel and retained advisors, and any of parties listed below (the "**Permitted Parties**") to the extent such Permitted Party requests access to the Abuse Survivor Proof of Claim Form. Furthermore, each Permitted Party shall execute and return to the Debtors' counsel (with a copy to the official committee of tort claimants (the "**Tort Claimants' Committee**") a

confidentiality agreement substantially in the form attached to this Order as **Exhibit 7** (the “Confidentiality Agreement”) by which such Permitted Party agrees to keep the information provided in the Abuse Survivor Proofs of Claim confidential.

- (e) The Permitted Parties include:<sup>3</sup>
- (1) counsel and advisors to the Debtors retained pursuant to an Order of this Court;
  - (2) officers, directors, and employees of the Debtors necessary to assist the Debtors and their counsel in reviewing and analyzing the Abuse Claims;
  - (3) the Claims and Noticing Agent;
  - (4) the Tort Claimants’ Committee;
  - (5) the Office of the United States Trustee for the District of Delaware (the “U.S. Trustee”);
  - (6) insurance companies (including their successors) that provided insurance related to the claims described in the Abuse Survivor Proofs of Claim, including authorized claims administrators of such insurance companies and their reinsurers and counsel;
  - (7) the Ad Hoc Committee of Local Councils;
  - (8) any Future Claimants’ Representative;
  - (9) any special arbitrator(s), mediator(s), or claims reviewer(s) appointed to review and resolve Abuse Claims;
  - (10) any trustee, or functional equivalent thereof, appointed to administer payments to Abuse Survivors;
  - (11) any person with the express written consent of the Debtors, the Tort Claimants’ Committee, and the Future Claimants’ Representative upon seven (7) business days’ notice to Abuse Survivors; and

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<sup>3</sup> With the exception of counsel and advisors the Debtors retains pursuant to Orders of this Court, counsel to the Tort Claimants’ Committee, the U.S. Trustee’s attorneys, counsel to the Future Claimants’ Representative, and the Claims and Noticing Agent, each Permitted Party receiving access to the Abuse Survivor Proofs of Claim or the General Proofs of Claim of minors (or any information aggregated or derived therefrom) must execute the Confidentiality Agreement.

- (12) such other persons as the Court determines should have the information in order to evaluate Abuse Claims or the claims of minors upon seven (7) business days' notice to such holders.

7. For the avoidance of doubt, nothing in this Order precludes the Debtors from discharging any obligations to report child abuse under state or federal law.

8. Any holder of a claim against the Debtors, including any holder of an Abuse Claim, who is required to file a General Proof of Claim or Abuse Survivor Proof of Claim in accordance with this Order, but fails to do so on or before the applicable Bar Date, shall not be permitted to vote to accept or reject the Plan filed in these chapter 11 cases or receive further notices regarding such claim. Any holder of a claim against the Debtors, including any holder of an Abuse Claim, who is required to file a General Proof of Claim or Abuse Survivor Proof of Claim in accordance with this Order, but fails to do so on or before the applicable Bar Date, shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution.

9. The General Bar Date Notice, the Abuse Claims Bar Date Notice, the Abuse Claims Publication Notice, and a form of the Abuse Claims Publication Notice adapted for email format (the "Abuse Claims Email Notice"), attached to this Order as **Exhibits 1, 2, 3, and 4**, respectively, are hereby approved.

10. The following procedures are hereby approved with respect to the General Bar Date Notice:

- (a) At least **120 days** prior to the General Bar Date, the Debtors shall cause to be mailed (i) a General Proof of Claim Form and (ii) the General Bar Date Notice to the following parties:
  - (1) the U.S. Trustee;
  - (2) all parties listed on the creditor matrix;
  - (3) all creditors and other known holders of claims against the Debtors as of the date of entry of this Order, including all entities listed on

the Schedules as holding claims against the Debtors, but excluding Abuse Survivors;

- (4) all persons or entities that have filed General Proofs of Claim as of the date of entry of this Order;
- (5) all counterparties to the Debtors' executory contracts and unexpired leases as of the date of entry of this Order;
- (6) all parties to pending litigation against the Debtors that is unrelated to Abuse Claims;
- (7) all current and former employees, directors, and officers (to the extent that contact information for former employees, director, and officers is available in the Debtors' records);
- (8) all regulatory authorities that regulate the Debtors' organization as of the date of entry of this Order;
- (9) the Offices of the United States Attorney for the District of Delaware and the Northern District of Texas;
- (10) the office of the attorney general for each state in which the Debtors maintain or conduct operations;
- (11) the District Director of the Internal Revenue Service for the District of Delaware;
- (12) all other taxing authorities for the jurisdictions in which the Debtors maintain or conduct organizational operations;
- (13) all parties who have requested notice pursuant to Bankruptcy Rule 2002 as of the date of entry of this Order; and
- (14) such additional persons and entities deemed appropriate by the Debtors.

- (b) The Debtors shall also post the General Proof of Claim Form and the General Bar Date Notice on the website established by the Claims and Noticing Agent, <http://www.omniagentsolutions.com/bsaclaims>.

11. The Debtors are hereby ordered to, via the Claims and Noticing Agent, serve via first-class mail (i) the Abuse Claims Bar Date Notice, substantially in the form attached to this Order as **Exhibit 2**, and (ii) an Abuse Survivor Proof of Claim Form, at least **120 days** prior to the Abuse Claims Bar Date, to counsel of record, if any, for each known Abuse Survivor, or to

the Abuse Survivor directly if address information for the Abuse Survivor is known and address information for counsel of record is not known, including, without limitation, any Abuse Survivor that has filed a Proof of Claim on or prior to the entry of this Order at the address listed in such Proof of Claim.

12. The Debtors shall also serve the Abuse Claims Bar Date Notice and Abuse Survivor Proof of Claim Form on counsel to the Tort Claimants' Committee.

13. Further, the Debtors shall post the Abuse Survivor Proof of Claim Form and the Abuse Claims Bar Date Notice on the Claims and Noticing Agent's website, [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com).

14. The Debtors shall use commercially reasonable efforts to publish the Abuse Claims Publication Notice, in substantially the form attached to this Order as **Exhibit 3** (allowing reasonable time for administrative and logistical issues), in accordance with the Supplemental Notice Plan and with any necessary modifications for ease of publication.

15. The Debtors shall use commercially reasonable efforts to send the Abuse Claims Email Notice, in substantially the form attached to this Order as **Exhibit 4**, to current and former scouts, volunteers, and parents who provided an email address to the Debtors since 1999, and to send a Spanish version of such notice to individuals who purchased a Spanish Handbook from the Debtors' online Scout Shop and provided an email address to the Debtors.

16. The Court hereby finds and concludes that the Abuse Claims Notice Procedures, including the Supplemental Notice Plan, the Abuse Claims Publication Notice, and the Abuse Claims Email Notice, are reasonably calculated to provide notice to unknown creditors, including Abuse Survivors, of the Bar Dates and the other matters described therein, and are hereby approved and no other or further notice shall be required. The Court further finds and

concludes that identities and contact information of Abuse Survivors other than known holders of Abuse Claims, as described in the Motion and the Wheatman Declaration, are not reasonably ascertainable and that such parties therefore are unknown creditors with respect to any claims they may have against the Debtors' estates, for whom notice by publication pursuant to Bankruptcy Rule 2002(l) is appropriate and sufficient.

17. The Debtors shall provide drafts of the internet, television, print, radio, and other copy created by the Debtors to implement the Supplemental Notice Plan to counsel for the Tort Claimants' Committee and the Future Claimants' Representative in advance of publication thereof, and the Tort Claimants' Committee's and Future Claimants' Representative's rights related thereto are reserved.

18. The Court further finds and concludes that publication of the Abuse Claims Publication Notice as provided in this Order will itself constitute adequate notice of the Abuse Claims Bar Date and other matters described therein on all unknown creditors, without regard to the additional elements of the Supplemental Notice Plan.

19. The Debtors shall use commercially reasonable efforts, with the assistance of the Claims and Noticing Agent, to publish notice of the General Bar Date, with any necessary modifications for ease of publication, once in the national editions of *The Wall Street Journal*, *USA Today*, and *The New York Times*.

20. Any person or entity who desires to rely on the Schedules will have the responsibility for determining that such person's or entity's Claim is accurately listed in the Schedules.

21. Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed as (a) an admission as to the validity or priority

of any claim or lien against the Debtors, (b) a waiver of the rights of the Debtors or any party in interest to dispute any claim or lien on any grounds, (c) a promise or requirement to pay any prepetition claim, (d) an implication or admission that any particular claim is of a type specified or defined in the Motion or this Order, (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code or any other applicable law, or (f) a waiver of the Debtors' or any other party's rights under the Bankruptcy Code or any other applicable law.

22. Entry of this Order is without prejudice to the right of the Debtors to seek a further order of this Court fixing the date by which holders of claims not subject to the Bar Dates established herein must file such claims against the Debtors or be forever barred from doing so.

23. The Debtors and the Claims and Noticing Agent are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

24. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Interim Order.

Dated: \_\_\_\_\_, 2020  
Wilmington, Delaware

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THE HON. LAURIE SELBER SILVERSTEIN  
UNITED STATES BANKRUPTCY JUDGE

**Exhibit 1**

**Form of General Bar Date Notice**

**FCRA00024**



**Exhibit 2**

**Form of Abuse Claims Bar Date Notice**

**FCRA00025**

**Exhibit 3**

**Form of Abuse Claims Publication Notice**



**Exhibit 5**

**General Proof of Claim Form**

**FCRA00028**

**Exhibit 6**

**Abuse Survivor Proof of Claim Form**

**FCRA00029**

**Exhibit 7**

**Form of Confidentiality Agreement**

**FCRA00030**

**Exhibit 3**

**Redline of Revised Proposed Order**

**FCRA00031**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-10343 (~~---~~LSS)

(Jointly Administered)

Ref. Docket ~~No~~Nos. 18 & --

**ORDER, PURSUANT TO 11 U.S.C. § 502(b)(9), BANKRUPTCY RULES 2002  
AND 3003(c)(3), AND LOCAL RULES 2002-1(e), 3001-1, AND 3003-1,  
(I) ESTABLISHING DEADLINES FOR FILING PROOFS OF CLAIM,  
(II) ESTABLISHING THE FORM AND MANNER OF NOTICE THEREOF,  
(III) APPROVING PROCEDURES FOR PROVIDING NOTICE OF BAR DATE  
AND OTHER IMPORTANT INFORMATION TO ABUSE ~~VICTIMS~~SURVIVORS, AND  
(IV) APPROVING CONFIDENTIALITY PROCEDURES FOR ABUSE  
~~VICTIMS~~SURVIVORS**

Upon the motion (the “Motion”)<sup>2</sup> of the Boy Scouts of America and Delaware BSA, LLC, the non-profit corporations that are debtors and debtors in possession in the above-captioned chapter 11 cases (~~collectively~~together, the “Debtors”) for entry of an order (this “Order”), (i) establishing deadlines ~~within~~by which General Proofs of Claim and Abuse Survivor Proofs of Claim against the Debtors’ estates are to be filed, (ii) approving the proposed procedures for filing General Proofs of Claim and Abuse Survivor Proofs of Claim, including special procedures ~~allowing~~ for holders of Abuse Claims (“Abuse Survivors”) to file confidential Abuse Survivor Proofs of Claim, (iii) approving the proposed procedures for notice of the bar dates, including the

<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors’ mailing address is 1325 West Walnut Hill Lane, Irving, Texas 75038.

<sup>2</sup> All capitalized terms used but not otherwise defined herein have the meanings ascribed to such terms in the Motion.



form of Bar Date Notices, (iv) approving the General Proof of Claim Form and the Abuse Survivor Proof of Claim Form, (v) approving the forms of supplemental notice and procedures for providing notice to unknown ~~holders of Abuse Claims~~ Survivors and other unknown creditors and parties in interest, and (vi) granting related relief; and upon consideration of the First Day Declaration and the declaration of Shannon Wheatman in support of the Motion and the Supplemental Notice Plan (the “Wheatman Declaration”); and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334 and the *Amended Standing Order of Reference* from the United States District Court for the District of Delaware, dated February 29, 2012; and this matter being a core proceeding within the meaning of 28 U.S.C. § 157(b)(2); and ~~this Court being able to issue~~ the Debtors having consented to the entry of a final order ~~consistent with~~ by this Court under Article III of the United States Constitution; and venue of this proceeding and the Motion in this district being proper pursuant to 28 U.S.C. §§ 1408 and 1409; and this Court having found that the ~~relief requested in the Motion is in the best interests of the Debtors’ estates, their creditors, and other parties in interest; and this Court having found that the Debtors’~~ notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court, if any; and all objections, if any, to the Motion having been withdrawn, resolved or overruled; and the relief requested in the Motion being in the best interests of the Debtors’ estates, their creditors and other parties in interest; and this Court having determined that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. The relief requested in the Motion is GRANTED as set forth herein.

2. The following procedures for filing General Proofs of Claim are approved:

- (a) Unless otherwise provided herein, the General Bar Date shall be **5:00 p.m. (prevailing Eastern Time) on the date that is eighty (80) days from service of the General Bar Date Notice October 6, 2020.**
- (b) Unless otherwise provided herein, the Governmental Bar Date shall be **August 17, 2020 at 5:00 p.m. (prevailing Eastern Time).**
- (c) **General Proofs of Claim** must: (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) conform substantially to the General Proof of Claim Form ~~annexed to the Motion~~ attached to this Order as **Exhibit C-15** or Official Bankruptcy Form No. 410; (iv) specify by name and case number the Debtor against which the General Proof of Claim is filed; (v) set forth with specificity the legal and factual basis for the alleged claim; (vi) include supporting documentation for the claim or an explanation as to why such documentation is not available; and (vii) be signed by the claimant or, if the claimant is not an individual, by an authorized agent or authorized representative of the claimant.
- (d) Any General Proof of Claim that does not clearly identify the Debtor against which the claim is asserted and the case number will be deemed as being submitted only against the Boy Scouts of America.
- (e) ~~(d)~~ If a claimant asserts a claim against more than one Debtor or has claims against both Debtors, the claimant must file a separate General Proof of Claim against each Debtor. To the extent a submitted General Proof of Claim identifies more than one Debtor, such proof of claim will be deemed as being submitted only against the first-identified Debtor.
- (f) ~~(e)~~ General Proofs of Claim must be filed either (i) electronically through the Claims and Noticing Agent's website using the interface available on the website located at <http://www.omniagentsolutions.com/bsaclaims> (the "Electronic Filing System") or (ii) by delivering the original General Proof of Claim ~~Form~~ by hand, or mailing the original General Proof of Claim ~~Form~~ so that it is received by the Claims and Noticing Agent on or before the General Bar Date as follows:

**BSA Claims Processing  
c/o Omni Agent Solutions  
5955 De Soto Ave., Suite 100  
Woodland Hills, CA 91367**

- (g) ~~(f)~~ A General Proof of Claim shall be deemed timely filed only if it is **actually received** by the Claims and Noticing Agent (i) at the address

listed ~~above~~ in subparagraph (e) above or (ii) electronically through the Electronic Filing System on or before the General Bar Date or Governmental Bar Date, as applicable.

(h) ~~(g)~~ General Proofs of Claim sent by email, facsimile, or telecopy transmission (other than General Proofs of Claim filed electronically through the Electronic Filing System) **shall not** be accepted.

(i) ~~(h)~~ Any person or entity (including, without limitation, individuals, partnerships, corporations, joint ventures, trusts, and Governmental Units) that asserts a claim that arises from the rejection of an executory contract or unexpired lease must file a General Proof of Claim based on such rejection by the later of (i) the General Bar Date or Governmental Bar Date, as applicable, and (ii) the date that is thirty (30) days following the entry of the Court order approving such rejection, (which order may be the order confirming a chapter 11 plan in the Debtors' chapter 11 cases) or be forever barred from doing so.

(j) ~~(i)~~ Notwithstanding the foregoing, a party to an executory contract or unexpired lease that asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a General Proof of Claim for such amounts on or before the General Bar Date or Governmental Bar Date, as applicable, unless an exception identified in ~~paragraph~~ subparagraph (m) below applies.

(k) ~~(j)~~ In the event that the Debtors amend or supplement their Schedules subsequent to the date of entry of ~~the Proposed~~ this Order, the Debtors shall give notice of any amendment or supplement to the holders of claims affected thereby, and such holders shall have until the later of (i) the General Bar Date and (ii) thirty (30) days from the date of such notice to file a General Proof of Claim or be barred from doing so and shall be given notice of such deadline.

(l) ~~(k)~~ Any person or entity that relies on the Schedules has the responsibility to determine that its claim is accurately listed in the Schedules.

(m) ~~(l)~~ The following persons or entities are **not** required to file a General Proof of Claim on or before the General Bar Date, solely with respect to the claims described below:

- (1) any person or entity whose claim is listed on the Schedules; provided that (i) the claim is **not** listed on the Schedules as "disputed," "contingent," or "unliquidated," (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity does not

dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;

- (2) any person or entity whose claim has been paid in full;
- (3) any holder of a claim allowable under section 503(b) and 507(a)(2) of the Bankruptcy Code as an administrative expense (**other than** a holder of a section 503(b)(9) claim);
- (4) any person or entity who holds a claim that heretofore has been allowed by ~~Order~~order of this Court entered on or before the applicable Bar Date;
- (5) any holder of a claim for which a separate deadline has been fixed by order of this Court;
- (6) any person or entity (other than ~~a holder of~~ an Abuse ~~Claim~~Survivor) who has, as of the date of this Order, already filed a Proof of Claim with the Claims and Noticing Agent against the Debtors with respect to the claim being asserted, utilizing a claim ~~for~~form that substantially conforms to the General Proof of Claim Form or Official Form No. 410; or
- (7) ~~each~~either Debtor in these chapter 11 cases having a claim against the other Debtor in these chapter 11 cases.

3. An individual should submit an Abuse Survivor Proof of Claim, in the form annexed to this Order as Exhibit 6, and not a General Proof of Claim, if the individual holds a claim against the Debtors that is attributable to, arises from, is based upon, relates to, or results from, in whole or in part, directly, indirectly, or derivatively, Abuse. For purposes of this Order, “Abuse” means sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, indecent assault and/or battery, rape, pedophilia, ephebophilia, sexually related psychological or emotional harm, humiliation, anguish, shock, sickness, disease, disability, dysfunction, or intimidation, any other sexual misconduct or injury, contacts or interactions of a sexual nature, including the use of photography, video, or digital media, or other physical abuse or bullying without regard to whether such physical abuse or bullying is of a sexual nature, between a child

and an adult, between a child and another child, or between a non-consenting adult and another adult, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether there is or was any associated physical, psychological, or emotional harm to the child or non-consenting adult.

4. ~~3.~~ The following procedures for filing an Abuse Survivor Proof of Claim are approved:

- (a) Unless otherwise provided herein, the Abuse Claims Bar Date shall be the **5:00 p.m. (prevailing Eastern Time) on ~~the date that is eighty (80) days from service of the Abuse Claims Bar Date Notice~~October 6, 2020.**
- (b) Abuse Survivor Proofs of Claim must: (i) be written in the English language; (ii) be denominated in lawful currency of the United States as of the Petition Date (using the exchange rate, if applicable, as of the Petition Date); (iii) conform substantially to the Abuse Survivor Proof of Claim Form annexed to ~~the Motion~~this Order as **Exhibit C-26**; (iv) set forth with specificity the legal and factual basis for the alleged claim, including all of the information requested in the Abuse Survivor Proof of Claim Form; and (v) be signed by the ~~holder of the~~ Abuse ClaimSurvivor.
- (c) Any Abuse Survivor Proof of Claim that does not clearly identify the Debtor against which the claim is asserted and the case number will be deemed as being submitted only against Boy Scouts of America.
- (d) To the extent a submitted Abuse Survivor Proof of Claim identifies more than one Debtor, such proof of claim will be deemed as being submitted only against Boy Scouts of America.
- (e) ~~(e)~~ Abuse Survivor Proofs of Claim must be filed either (i) electronically through the Electronic Filing System available on the website located at [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com) or (ii) by delivering the original Abuse Survivor Proof of Claim Form by hand, or mailing the original Abuse Survivor Proof of Claim Form on or before the Abuse Claims Bar Date as follows:

**BSA Abuse Claims Processing  
c/o Omni Agent Solutions  
5955 De Soto Ave., Suite 100  
Woodland Hills, CA 91367**

- (f) ~~(d)~~ An Abuse Survivor Proof of Claim shall be deemed timely received only if it is **actually received** by the Claims and Noticing Agent (i) at the address listed above in subparagraph (ee) or (ii) electronically through the Electronic Filing System available at [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com) on or before the Abuse Claims Bar Date.
- (g) ~~(e)~~ Abuse Survivor Proofs of Claim sent by email, facsimile, or telecopy transmission (other than Abuse Survivor Proofs of Claim filed electronically through the Electronic Filing System) **shall not** be accepted.
- (h) ~~(f)~~ Any ~~holder of an~~ Abuse ClaimSurvivor who believes that she or he has an Abuse Claim, including but not limited to ~~holders of~~ Abuse ClaimsSurvivors who have previously filed lawsuits or asserted claims against the Debtors, ~~holders of~~ Abuse ClaimsSurvivors who have called the Scouts First Hotline or otherwise reported a claim of abuse, and ~~holders of~~ Abuse ClaimsSurvivors who have never filed a lawsuit, asserted a claim against the Debtors, entered into a settlement, or reported their abuse, must submit the applicable Abuse Survivor Proof of Claim Form. **For the avoidance of doubt, even if the Abuse Claim is time-barred under an applicable statute of limitations, each ~~holder of an~~ Abuse ClaimSurvivor is required to file an Abuse Survivor Proof of Claim in order to preserve the right to pursue an Abuse Claim in the event of a change in the applicable statute of limitations, or shall be forever barred from doing so.** Any ~~holder of an~~ Abuse ClaimSurvivor must file the applicable Abuse Survivor Proof of Claim Form even if such claimant may be included in, or represented by, another action filed against the Debtors with respect to such claimant's Abuse Claim.
- (i) ~~(g)~~ The following persons ~~or entities~~ are **not** required to file an Abuse Survivor Proof of Claim on or before the Abuse Claims Bar Date, solely with respect to the claims described below:
- (1) Any person ~~or entity that~~who is not ~~a holder of~~ an Abuse ClaimSurvivor;
  - (2) Any ~~holder of an~~ Abuse ClaimSurvivor whose claim has been paid in full; **provided, however, that this subsection does not include ~~holders of~~ Abuse ClaimsSurvivors who were paid pursuant to settlement agreements but who believe they have additional claims against the Debtors beyond what was agreed to in the applicable settlement agreement;**
  - (3) any ~~holder of an~~ Abuse ClaimSurvivor who holds a claim that heretofore has been allowed by ~~Order~~order of this Court entered on or before the applicable Abuse Claims Bar Date; and

(4) any individual holding a claim based on abuse that occurred prior to the Petition Date, but who (a) had not attained eighteen (18) years of age as of the date immediately preceding the Petition Date, or (b) was not aware of their Abuse Claim as a result of “repressed memory,” to the extent the concept of repressed memory is recognized by the highest appellate court of the State or territory where the claim arose.

5. ~~4.~~ For the avoidance of doubt, the ~~foregoing~~ procedures set forth in paragraph 4 above shall apply to all ~~holders of Abuse Claims~~ Survivors only, and, unless otherwise subject to one of the exceptions ~~set forth~~ specifically enumerated above, each ~~holder of an Abuse Claim shall be required to file an Abuse Proof of Claim by the Abuse Claims Bar Date, including any holder of an Abuse Claim (i) who~~ Abuse Survivor (including Abuse Survivors (i) whose Abuse Claims may otherwise be included in, or represented by, a lawsuit or action filed against the Debtors, and (ii) even if an Abuse Survivor’s Abuse Claim is time-barred under an applicable statute of limitations, in order to preserve the right to pursue an Abuse Claim in the event of a change in the applicable statute of limitations, or such holder shall be) shall be required to file an Abuse Survivor Proof of Claim before the Abuse Claims Bar Date or be forever barred, estopped, and enjoined from ~~doing so~~ asserting such claims.

6. ~~5.~~ The following “Confidentiality Protocol” shall apply with respect to Proofs of Claim:

- (a) ~~Holders of Abuse Claims~~ Survivors are directed **not** to file an Abuse Survivor Proof of Claim with the Court. Instead and as described above, the Abuse Survivor Proof of Claim must be mailed and delivered to the Claims and Noticing Agent at the following address: **BSA Abuse Claims Processing, c/o Omni Agent Solutions, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367**, or filed through the Electronic Filing System via the website located at [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com).
- (b) Minors and their parents and legal guardians holding non-Abuse Claims are directed **not** to file a General Proof of Claim with the Court. Instead and as described above, the General Proof of Claim must be mailed and delivered to the Claims and Noticing Agent at the following address: **BSA**



Claims Processing, c/o Omni Agent Solutions, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367; or filed through the Electronic Filing System via the website located at <http://www.omniagentsolutions.com/bsaclaims>.

- (c) Submitted Abuse Survivor Proofs of Claim will not be available to the general public unless the ~~holder~~ Abuse Survivor designates otherwise on the Abuse Survivor Proof of Claim Form. Submitted General Proofs of Claim related to minors will not be available to the general public. The Confidentiality Protocol is for the benefit of such holders. ~~Holders of Abuse Claims~~ Survivors may, solely in their discretion, elect to make public the information contained in their submitted Abuse Survivor Proofs of Claim.
- (d) Abuse Survivor Proofs of Claim submitted by ~~holders of Abuse Claims~~ Survivors and General Proofs of Claim submitted on behalf of minors shall be held and treated as confidential by the Claims and Noticing Agent, the Debtors, the Debtors' counsel and retained advisors, and any of parties listed below (the "Permitted Parties") to the extent such Permitted Party requests access to the Abuse Survivor Proof of Claim Form. Furthermore, each Permitted Party shall execute and return to the Debtors' counsel (with a copy to ~~any~~ the official committee ~~that may be appointed in these chapter 11 cases to represent holders of Abuse Claims~~ of tort claimants (the "Tort Claimants' Committee") a confidentiality agreement substantially in the form attached to ~~the Motion~~ this Order as ~~Exhibit D7~~ (the "Confidentiality Agreement") by which such Permitted Party agrees to keep the information provided in the Abuse Survivor Proofs of Claim confidential.
- (e) The Permitted Parties include:<sup>3</sup>
  - (1) counsel and advisors to the Debtors retained pursuant to an Order of this Court;
  - (2) officers, directors, and employees of the Debtors necessary to assist the Debtors and their counsel in reviewing and analyzing the Abuse Claims;

<sup>3</sup> With the exception of counsel and advisors the Debtors retains pursuant to Orders of this Court, counsel to ~~any official committee appointed to represent holders of Abuse Claims~~ the Tort Claimants' Committee, the U.S. Trustee's attorneys, counsel to ~~any appointed~~ the Future Claimants' Representative, and the Claims and Noticing Agent, each Permitted Party receiving access to the Abuse Survivor Proofs of Claim or the General Proofs of Claim of minors (or any information aggregated or derived therefrom) must execute the Confidentiality Agreement.



- (3) the Claims and Noticing Agent;
- (4) ~~counsel for any official committee appointed by this Court to represent holders of Abuse Claims~~ the Tort Claimants' Committee;
- (5) the Office of the United States Trustee for the District of Delaware (the "U.S. Trustee");
- (6) insurance companies (including their successors) that provided insurance related to the claims described in the Abuse Survivor Proofs of Claim, including authorized claims administrators of such insurance companies and their reinsurers and counsel;
- (7) the Ad Hoc Committee of Local Councils;
- (8) ~~(7)~~ any Future Claimants' Representative;
- (9) ~~(8)~~ any special ~~arbitrator, mediator~~ arbitrator(s), mediator(s), or claims ~~reviewer~~ reviewer(s) appointed to review and resolve Abuse Claims;
- (10) ~~(9)~~ any trustee, or functional equivalent thereof, appointed to administer payments to ~~holders of Abuse Claims~~ Survivors;
- (11) ~~(10)~~ any person with the express written consent of the Debtors ~~and any official committee appointed by this Court to represent holders of Abuse Claims, the Tort Claimants' Committee, and the Future Claimants' Representative~~ upon seven (7) business days' notice to ~~holders of Abuse Claims~~ Survivors; and
- (12) ~~(11)~~ such other persons as the Court determines should have the information in order to evaluate Abuse Claims or the claims of minors upon seven (7) business days' notice to such holders.

7. ~~6.~~ For the avoidance of doubt, nothing in this Order precludes the Debtors from discharging any obligations to report child abuse under state or federal law.

~~7. For the purpose of determining whether an individual should submit a General Proof of Claim or an Abuse Proof of Claim, "Abuse" is defined as sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, indecent assault and/or battery, rape, pedophilia, ephebophilia, sexually related psychological or emotional harm, humiliation, anguish, shock,~~

~~sickness, disease, disability, dysfunction, or intimidation, any other sexual misconduct or injury, contacts or interactions of a sexual nature, including the use of photography, video, or digital media, or other physical abuse or bullying without regard to whether such physical abuse or bullying is of a sexual nature, between a child and an adult, between a child and another child, or between a non-consenting adult and another adult, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether there is or was any associated physical, psychological, or emotional harm to the child or non-consenting adult.~~

8. Any holder of a claim against the Debtors, including any holder of an Abuse Claim, who is required to file a General Proof of Claim or Abuse Survivor Proof of Claim in accordance with this Order, but fails to do so on or before the applicable Bar Date, shall not be permitted to vote to accept or reject the Plan filed in these chapter 11 cases or receive further notices regarding such claim. Any holder of a claim against the Debtors, including any holder of an Abuse Claim, who is required to file a General Proof of Claim or Abuse Survivor Proof of Claim in accordance with this Order, but fails to do so on or before the applicable Bar Date, shall not be treated as a creditor with respect to such claim for the purposes of voting and distribution.

9. The General Bar Date Notice, the Abuse Claims Bar Date Notice, ~~and~~ the Abuse Claims Publication Notice, and a form of the Abuse Claims Publication Notice adapted for email format (the "Abuse Claims Email Notice"), attached to ~~the Motion~~ this Order as **Exhibits B-1, B-2, and B-3, and 4**, respectively, are hereby approved.

10. The following procedures are hereby approved with respect to the General Bar Date Notice:

- (a) At least ~~eight (80)~~120 days prior to the General Bar Date, the Debtors shall cause to be mailed (i) a General Proof of Claim Form and (ii) the General Bar Date Notice to the following parties:
- (1) the U.S. Trustee;
  - (2) all parties listed on the creditor matrix;
  - (3) all creditors and other known holders of claims against the Debtors as of the date of entry of this Order, including all entities listed on the Schedules as holding claims against the Debtors, but excluding ~~holders of Abuse Claims~~Survivors;
  - (4) all persons or entities that have filed General Proofs of Claim as of the date of entry of ~~the Proposed~~this Order;
  - (5) all counterparties to the Debtors' executory contracts and unexpired leases as of the date of entry of ~~the Proposed~~this Order;
  - (6) all parties to pending litigation against the Debtors that is unrelated to Abuse Claims;
  - (7) all current and former employees, directors, and officers (to the extent that contact information for former employees, director, and officers is available in the Debtors' records);
  - (8) all regulatory authorities that regulate the Debtors' organization as of the date of entry of this ~~Proposed~~ Order;
  - (9) the Offices of the United States Attorney for the District of Delaware and the Northern District of Texas;
  - (10) the office of the attorney general for each state in which the Debtors maintain or conduct operations;
  - (11) the District Director of the Internal Revenue Service for the District of Delaware;
  - (12) all other taxing authorities for the jurisdictions in which the Debtors maintain or conduct organizational operations;
  - (13) all parties who have requested notice pursuant to Bankruptcy Rule 2002 as of the date of entry of ~~the Proposed~~this Order; and
  - (14) such additional persons and entities deemed appropriate by the Debtors.

- (b) The Debtors shall also post the General Proof of Claim Form and the General Bar Date Notice on the website established by the Claims and Noticing Agent,  
<http://www.OfficialBSAClaimsomniagentsolutions.com/bsaclaims>.

11. The Debtors are hereby ordered to, via the Claims and Noticing Agent, serve via first-class mail (i) the Abuse Claims Bar Date Notice, substantially in the form ~~annexed to the Motion~~attached to this Order as **Exhibit B-2**, and (ii) an Abuse Survivor Proof of Claim Form, at least ~~eighty (80)~~120 days prior to the Abuse Claims Bar Date, to ~~each known holder of an Abuse Claim~~counsel of record, if any, for each known Abuse Survivor, or to the Abuse Survivor directly if address information for the Abuse Survivor is known and address information for counsel of record is not known, including, without limitation, any ~~holder of an Abuse Claim~~Survivor that has filed a Proof of Claim on or prior to the entry of ~~a Proposed~~this Order at the address listed in such Proof of Claim.

12. The Debtors shall also serve the Abuse Claims Bar Date Notice and Abuse Survivor Proof of Claim Form on ~~any attorneys appointed to represent an official committee of holders of Abuse Claims~~counsel to the Tort Claimants' Committee.

13. Further, the Debtors shall post the Abuse Survivor Proof of Claim Form and the Abuse Claims Bar Date Notice on the Claims and Noticing Agent's website, [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com).

~~14. Any person or entity who desires to rely on the Schedules will have the responsibility for determining that such person's or entity's Claim is accurately listed in the Schedules.~~

14. ~~15.~~ The Debtors shall use commercially reasonable efforts to publish the Abuse Claims Publication Notice, in substantially the form attached to ~~the Motion~~this Order as **Exhibit**

~~B-3~~ (allowing reasonable time for administrative and logistical issues), in accordance with the Supplemental Notice Plan and with any necessary modifications for ease of publication.

15. The Debtors shall use commercially reasonable efforts to send the Abuse Claims Email Notice, in substantially the form attached to this Order as Exhibit 4, to current and former scouts, volunteers, and parents who provided an email address to the Debtors since 1999, and to send a Spanish version of such notice to individuals who purchased a Spanish Handbook from the Debtors' online Scout Shop and provided an email address to the Debtors.

16. The Court hereby finds and concludes that the Abuse Claims Notice Procedures, including the Supplemental Notice Plan~~and~~, the Abuse Claims Publication Notice, and the Abuse Claims Email Notice, are reasonably calculated to provide notice to unknown creditors, including ~~holders of Abuse Claims~~Survivors, of the Bar Dates and the other matters described therein, and are hereby approved and no other or further notice shall be required. The Court further finds and concludes that identities and contact information of Abuse Survivors other than known holders of Abuse Claims~~other than known Holders of Abuse Claims~~, as described in the Motion and the Wheatman Declaration, are not reasonably ascertainable and that such parties therefore are unknown creditors with respect to any claims they may have against the Debtors' estates, for whom notice by publication pursuant to Bankruptcy Rule 2002(l) is appropriate and sufficient.

17. The Debtors shall provide drafts of the internet, television, print, radio, and other copy created by the Debtors to implement the Supplemental Notice Plan to counsel for the Tort Claimants' Committee and the Future Claimants' Representative in advance of publication thereof, and the Tort Claimants' Committee's and Future Claimants' Representative's rights related thereto are reserved.

18. ~~17.~~ The Court further finds and concludes that publication of the Abuse Claims Publication Notice as provided in this Order will itself constitute adequate notice of the Abuse Claims Bar Date and other matters described therein on all unknown creditors, without regard to the additional elements of the Supplemental Notice Plan.

19. The Debtors shall use commercially reasonable efforts, with the assistance of the Claims and Noticing Agent, to publish notice of the General Bar Date, with any necessary modifications for ease of publication, once in the national editions of *The Wall Street Journal*, *USA Today*, and *The New York Times*.

20. Any person or entity who desires to rely on the Schedules will have the responsibility for determining that such person's or entity's Claim is accurately listed in the Schedules.

21. ~~18.~~ Notwithstanding the relief granted in this Order and any actions taken pursuant to such relief, nothing in this Order shall be deemed as (a) an admission as to the validity or priority of any claim or lien against the Debtors, (b) a waiver of the ~~Debtors'~~ rights ~~to subsequently of the Debtors or any party in interest to~~ dispute ~~such~~any claim or lien on any grounds, (c) a promise or requirement to pay any prepetition claim, (d) an implication or admission that any particular claim is of a type specified or defined in the Motion or this Order, (e) a request or authorization to assume any prepetition agreement, contract, or lease pursuant to section 365 of the Bankruptcy Code or any other applicable law, or (f) a waiver of the Debtors' or any other ~~party in interest's~~party's rights under the Bankruptcy Code or any other applicable law.

22. ~~19.~~ Entry of this Order is without prejudice to the right of the Debtors to seek a further order of this Court fixing the date by which holders of claims **not** subject to the Bar Dates established herein must file such claims against the Debtors or be forever barred from doing so.

23. ~~20.~~ The Debtors and the Claims and Noticing Agent are authorized to take all actions necessary to effectuate the relief granted in this Order in accordance with the Motion.

24. ~~21.~~ This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this Interim Order.

Dated: \_\_\_\_\_, 2020  
Wilmington, Delaware

\_\_\_\_\_  
THE HON. LAURIE SELBER SILVERSTEIN  
UNITED STATES BANKRUPTCY JUDGE

Exhibit ~~B~~-1

**Form of General Bar Date Notice**

**FCRA00048**



Exhibit ~~B~~-2

**Form of Abuse Claims Bar Date Notice**

*(to be supplemented)*

Exhibit ~~B~~-3

Form of Abuse Claims Publication Notice

*(to be supplemented)*

| Exhibit ~~C-14~~

| Form of Abuse Claims Email Notice

Exhibit 5

**General Proof of Claim Form**

**FCRA00052**

**Exhibit ~~C-26~~**

Abuse Survivor Proof of Claim Form

*(to be supplemented)*

Exhibit ~~D~~7

**Form of Confidentiality Agreement**

**FCRA00054**

**Exhibit 4**

**Revised General Bar Date Notice**

**FCRA00055**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

(Jointly Administered)

**TO ALL ENTITIES WITH CLAIMS AGAINST BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC:**

**NOTICE OF DEADLINES REQUIRING FILING OF PROOFS OF CLAIM**

**NOTICE IS HEREBY GIVEN** as follows:

The United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) has entered an Order (the “Bar Date Order”) establishing **October 6, 2020 at 5:00 p.m. (Eastern Time)** the (“General Bar Date”) as the last date and time for each person or entity (including individuals, partnerships, corporations, joint ventures, and trusts, but not including any (i) any holder of an Abuse Claim (each, an “Abuse Survivor”) and (ii) governmental units (as defined in section 101(27) of the chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”)) to file a General Proof of Claim against any of the above-listed debtors (collectively, the “Debtors”).<sup>2</sup>

The Bar Dates (as defined below) and the procedures set forth below for filing General Proofs of Claim apply to all claims against the Debtors that arose prior to February 18, 2020 (the “Petition Date”), the date on which the Debtors commenced cases under chapter 11 of the Bankruptcy Code, including, for the avoidance of doubt, secured claims, priority claims, and claims arising under section 503(b)(9) of the Bankruptcy Code, but not holders of the claims listed in Section V below that specifically are excluded from the General Bar Date and Governmental Bar Date (as defined below) filing requirement. Governmental units may have until **August 17, 2020 at 5:00 p.m. (Eastern Time)** (the “Governmental Bar Date,” and, together with the General Bar Date, the “Bar Dates”) to file General Proofs of Claim against the Debtors.

<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors’ mailing address is 1325 West Walnut Hill Lane, Irving, Texas 75038.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the *Debtors’ Motion, Pursuant to § 502(b)(9), Bankruptcy Rules 2002 and 3003(c)(3), and Local Rules 2002-1(e), 3001-1, and 3003-1, for Authority to (I) Establish Deadlines for Filing Proofs of Claim, (II) Establish the Form and Manner of Notice Thereof, (III) Approve Procedures for Providing Notice of Bar Date and Other Important Information to Abuse Victims, and (IV) Approve Confidentiality Procedures for Abuse Victims* [Docket No. 18].



**The procedures described in this Notice shall not apply to Abuse Survivors asserting Abuse Claims. Abuse Survivors should consult the notice titled *Notice of Deadline for Filing Abuse Claims in the Boy Scouts of America Bankruptcy Case*. An Abuse Survivor asserting a claim other than an Abuse Claim must file a separate General Proof of Claim as set forth in the Bar Date Order and this Notice.**

## **I. WHO MUST FILE A PROOF OF CLAIM**

You MUST file a General Proof of Claim to vote on a chapter 11 plan filed by the Debtors or to share in distributions from the Debtors' bankruptcy estates if (i) you have a claim that arose prior to the Petition Date and (ii) it is not one of the types of claims described in Section IV below. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used in this Notice, the word "claim" means: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

## **II. WHAT TO FILE**

The Debtors are enclosing a proof of claim form (the "General Proof of Claim Form") for use in these cases; if your claim is listed on the schedules of assets and liabilities filed by the Debtors (collectively, the "Schedules"), the General Proof of Claim Form also sets forth the amount of your claim as listed on the Schedules, the specific Debtor against which the claim is scheduled, and whether the claim is scheduled as "disputed," "contingent," or "unliquidated." You will receive a different General Proof of Claim Form for each claim listed in your name on the Schedules. You may utilize the General Proof of Claim Form(s) provided by the Debtors to file your claim. Additional General Proof of Claim Forms may be obtained at (i) the website established by the Debtors' Court-approved claims and noticing agent, Omni Agent Solutions (the "Claims and Noticing Agent"), located at <http://www.omniagentsolutions.com/bsaclaims>, or (ii) the Bankruptcy Court's website located at [www.uscourts.gov/forms/bankruptcy-forms](http://www.uscourts.gov/forms/bankruptcy-forms).

<b><u>Proofs of Claim must:</u></b>	<ul style="list-style-type: none"> <li>√ Be signed by the claimant</li> <li>√ Be written in English</li> <li>√ Be denominated in United States currency (using the exchange rate, if applicable, as of the Petition Date)</li> <li>√ Set forth with specificity the legal and factual basis for the alleged claim, including all of the information requested in the General Proof of Claim Form, and attach to your completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or explanation as to why the documents are not available</li> </ul>
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Any holder of a claim against more than one Debtor must file a separate General Proof of Claim with respect to each Debtor. Any holder of a claim must identify on its General Proof of Claim the specific Debtor against which its claim is asserted and the case number of that Debtor's bankruptcy case. The Debtors are set forth on the first page of this Notice. Any holder of a claim must sign the claim or, if the claimant is not an individual, an authorized agent must sign the claim.

### **III. WHEN AND WHERE TO FILE**

Except as provided for herein, all proofs of claim must be filed so as to be **received on or before October 6, 2020 at 5:00 p.m. (Eastern Time)** as follows:

#### **IF BY FIRST CLASS MAIL, OVERNIGHT COURIER OR HAND DELIVERY:**

BSA Claims Processing  
c/o Omni Agent Solutions  
5955 De Soto Ave., Suite 100  
Woodland Hills, CA 91367

#### **IF ELECTRONICALLY:**

The website established by the Claims and Noticing Agent, using the interface available on the website located at <http://www.omniagentsolutions.com/bsaclaims> (the "Electronic Filing System").

General Proofs of Claim will be deemed filed only when received at the address listed above or via the Electronic Filing System on or before the applicable Bar Dates. **General Proofs of Claim may not be delivered by email, facsimile, or telecopy transmission (other than General Proofs of Claim filed electronically through the Electronic Filing System).**

### **IV. CONFIDENTIALITY PROTOCOL GOVERNING SUBMISSION OF PROOFS OF CLAIMS OF MINORS:**

The Bar Date Order provides that a Confidentiality Protocol shall govern the submission of certain of the proofs of claim:

Minors and their parents and legal guardians holding non-Abuse Claims are directed **not** to file a General Proof of Claim with the Court. Instead and as described above, the General Proof of Claim must be (a) mailed and delivered to the Claims and Noticing Agent at the following address:

**BSA Claims Processing  
c/o Omni Agent Solutions  
5955 De Soto Ave., Suite 100  
Woodland Hills, CA 91367**

or (b) filed through the Electronic Filing System via the website located at <http://www.omniagentsolutions.com/bsaclaims>.

## **V. WHO NEED NOT FILE A PROOF OF CLAIM**

You do **not** need to file a General Proof of Claim on or prior to the applicable Bar Dates if you are:

- (1) any person who holds a prepetition abuse claim, which includes any liquidated or unliquidated Claim that is attributable to, arises from, is based upon, relates to, or results from, in whole or in part, directly, indirectly, or derivatively, sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, indecent assault and/or battery, rape, pedophilia, ephebophilia, sexually related psychological or emotional harm, humiliation, anguish, shock, sickness, disease, disability, dysfunction, or intimidation, any other sexual misconduct or injury, contacts or interactions of a sexual nature, including the use of photography, video, or digital media, or other physical abuse or bullying without regard to whether such physical abuse or bullying is of a sexual nature, between a child and an adult, between a child and another child, or between a non-consenting adult and another adult, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether there is or was any associated physical, psychological, or emotional harm to the child or non-consenting adult that occurred prior to the Petition Date (each, an “Abuse Claim”);
- (2) any person or entity whose claim is listed on the Schedules; provided that (i) the claim is **not** listed on the Schedules as “disputed,” “contingent,” or “unliquidated,” (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
- (3) any person or entity whose claim has been paid in full;

- (4) any holder of a claim allowable under section 503(b) and 507(a)(2) of the Bankruptcy Code as an administrative expense (**other than** a holder of a section 503(b)(9) claim);
- (5) any person or entity who holds a claim that heretofore has been allowed by order of the Bankruptcy Court entered on or before the applicable Bar Date;
- (6) any holder of a claim for which a separate deadline has been fixed by the Bankruptcy Court;
- (7) any person or entity (other than an Abuse Survivor) who has already filed a General Proof of Claim with the Claims and Noticing Agent against the Debtors with respect to the claim being asserted, utilizing a claim for that substantially conforms to the General Proof of Claim Form or Official Bankruptcy Form No. 410; or
- (8) each Debtor in these chapter 11 cases having a claim against the other Debtor in these chapter 11 cases.

This Notice may be sent to persons and entities that have had some relationship with or have done business with the Debtors but may not have an unpaid claim against the Debtors. **The fact that you have received this Notice does not mean that you have a claim or that the Debtors or the Bankruptcy Court believe that you have a claim against the Debtors.**

## **VI. EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

If you hold a claim arising out of the rejection of an executory contract or unexpired lease you must file a General Proof of Claim based on such rejection within thirty (30) days after the later of (i) the date of entry of an order of the Bankruptcy Court (including the Confirmation Order) approving such rejection, (ii) the effective date of such rejection, or (iii) the effective date of a plan of reorganization, or be forever barred from doing so; provided, however, that a party to an executory contract or unexpired lease that asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a General Proof of Claim for such amounts on or before the General Bar Date or Governmental Bar Date, as applicable, unless an exception identified in Section V above applies.

## **VII. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE**

ANY HOLDER OF A CLAIM THAT IS NOT EXEMPTED FROM THE REQUIREMENTS OF THE BAR DATE ORDER, AS SET FORTH IN SECTION V ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING ON ANY PLAN OF REORGANIZATION FILED IN THESE CASES AND PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CASES ON ACCOUNT OF SUCH CLAIM.

### VIII. THE DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as a holder of a claim against one or more of the Debtors in the Debtors' Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed General Proof of Claim Form(s) regarding the nature, amount, and status of your claim(s). If you received postpetition payments from the Debtors (as authorized by the Bankruptcy Court) on account of your claim(s), the enclosed General Proof of Claim Form will reflect the net amount of your claim(s).

If you rely on the Debtors' Schedules and/or the enclosed General Proof of Claim Form(s), it is your responsibility to determine that the claim accurately is listed on the Schedules. However, you may rely on the enclosed form, which lists your claim as scheduled, identifies the Debtor against which it is scheduled, and specifies whether the claim is disputed, contingent, or unliquidated.

As set forth above, if you agree with the nature, amount, and status of your claim as listed in the Debtors' Schedules, and if you do not dispute that your claim only is against the Debtor specified by the Debtors, and if your claim is not described as "disputed," "contingent," or "unliquidated," you need not file a General Proof of Claim. Otherwise, or if you decide to file a General Proof of Claim, you must do so before the applicable Bar Dates, in accordance with the procedures set forth in this Notice.

In the event that the Debtors amend or supplement their Schedules subsequent to the entry of the Bar Date Order, the Debtors shall give notice of any amendment or supplement to the holders of claims affected thereby, and such holders shall have until the later of (i) the applicable Bar Date and (ii) thirty (30) days from the date of such notice to file a General Proof of Claim or be barred from doing so and shall be given notice of such deadline.

Copies of the Debtors' Schedules are available for inspection on the Bankruptcy Court's electronic docket for the Debtors' chapter 11 cases, which is posted on (i) the website established by Omni Agent Solutions, the claims and noticing agent for the Debtors' cases, at [www.omniagentsolutions.com/bsa](http://www.omniagentsolutions.com/bsa), at no charge and (ii) on the Court's website at <http://www.deb.uscourts.gov/>. A login and password to the Bankruptcy Court's Public Access to Electronic Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.gov>.

Copies of the Schedules also may be examined between the hours of 8:00 a.m. and 4:00 p.m., Prevailing Eastern Time, Monday through Friday at the Office of the Clerk of the Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801. Copies of the Debtors' Schedules also may be obtained by request to the Claims and Noticing Agent.

**A HOLDER OF A POTENTIAL CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM.**

If you need additional information about the Bar Dates, proofs of claim forms, filing proofs of claim or other information about the Debtors' chapter 11 cases, you can contact the Claims and Noticing Agent by:

**Calling (toll-free): 866-907-BSA1**

**Emailing: BSAInquiries@omniagnt.com**

**Visiting: <http://www.omniagentsolutions.com/bsaclaims>**

**You may obtain information, but not legal advice, from the Claims and Noticing Agent. You may wish to consult an attorney if you have any questions, including if you should file a General Proof of Claim.**

Dated: \_\_\_\_\_, 2020  
Wilmington, Delaware

**BY ORDER OF THE COURT**

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/

---

Derek C. Abbott (No. 3376)  
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COUNSEL TO THE DEBTORS AND DEBTORS IN  
POSSESSION

**Exhibit 5**

**Redline of Revised General Bar Date Notice**

**FCRA00064**



**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-~~---~~10343 (~~---~~LSS)

(Jointly Administered)

**TO ALL ENTITIES WITH CLAIMS AGAINST ~~THE~~ BOY SCOUTS OF AMERICA  
AND DELAWARE BSA, LLC:**

**NOTICE OF DEADLINES REQUIRING FILING OF PROOFS OF CLAIM**

**NOTICE IS HEREBY GIVEN** as follows:

The United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) has entered an Order (the “Bar Date Order”) establishing ~~+~~October 6, 2020 at 5:00 p.m. (prevailing Eastern Time) the (“General Bar Date”) as the last date and time for each person or entity (including individuals, partnerships, corporations, joint ventures, and trusts, but not including any (i) any holder of an Abuse Claim (~~as defined herein~~each, an “Abuse Survivor”) and (ii) governmental units (as defined in section 101(27) of the chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”)) to file a ~~proof of claim~~General Proof of Claim against any of the above-listed debtors (collectively, the “Debtors”).<sup>2</sup>

The Bar Dates (as defined below) and the procedures set forth below for filing ~~proofs of claim~~General Proofs of Claim apply to all claims against the Debtors that arose prior to February 18, 2020 (the “Petition Date”), the date on which the Debtors commenced cases under chapter 11 of the Bankruptcy Code, including, for the avoidance of doubt, secured claims, priority claims, and claims arising under section 503(b)(9) of the Bankruptcy Code, but not holders of the claims listed in Section V below that specifically are excluded from the General Bar Date and Governmental Bar Date (as defined below) filing requirement. Governmental units may have until **August 17, 2020 at 5:00 p.m. (Eastern Time)** (the “Governmental Bar Date,” and, together

<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors’ mailing address is 1325 West Walnut Hill Lane, Irving, Texas 75038.

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the Debtors’ Motion, Pursuant to § 502(b)(9), Bankruptcy Rules 2002 and 3003(c)(3), and Local Rules 2002-1(e), 3001-1, and 3003-1, for Authority to (I) Establish Deadlines for Filing Proofs of Claim, (II) Establish the Form and Manner of Notice Thereof, (III) Approve Procedures for Providing Notice of Bar Date and Other Important Information to Abuse Victims, and (IV) Approve Confidentiality Procedures for Abuse Victims [Docket No. ~~+~~18].

with the General Bar Date, the “Bar Dates”) to file ~~proofs of claim~~ General Proofs of Claim against the Debtors.

The procedures described in this Notice shall not apply to ~~holders of Abuse Claims~~ Survivors asserting Abuse Claims. ~~Such holders~~ Abuse Survivors should consult the notice titled Notice of Deadlines Requiring Deadline for Filing of Abuse Proofs of Claims. An abuse victim in the Boy Scouts of America Bankruptcy Case. An Abuse Survivor asserting a claim other than an Abuse Claim must file a separate ~~proof of claim~~ General Proof of Claim as set forth in the Bar Date Order and this Notice.

## I. WHO MUST FILE A PROOF OF CLAIM

You MUST file a ~~proof of claim~~ General Proof of Claim to vote on a chapter 11 plan filed by the Debtors or to share in distributions from the Debtors’ bankruptcy estates if (i) you have a claim that arose prior to the Petition Date and (ii) it is not one of the types of claims described in Section IV below. Claims based on acts or omissions of the Debtors that occurred before the Petition Date must be filed on or prior to the applicable Bar Date, even if such claims are not now fixed, liquidated or certain or did not mature or become fixed, liquidated or certain before the Petition Date.

Under section 101(5) of the Bankruptcy Code and as used in this Notice, the word “claim” means: (a) a right to payment, whether or not such right is reduced to judgment, liquidated, unliquidated, fixed, contingent, matured, unmatured, disputed, undisputed, legal, equitable, secured, or unsecured; or (b) a right to an equitable remedy for breach of performance if such breach gives rise to a right to payment, whether or not such right to an equitable remedy is reduced to judgment, fixed, contingent, matured, unmatured, disputed, undisputed, secured, or unsecured.

## II. WHAT TO FILE

The Debtors are enclosing a proof of claim form (the “General Proof of Claim Form”) for use in these cases; if your claim is listed on the schedules of assets and liabilities filed by the Debtors (collectively, the “Schedules”), the ~~proof of claim form~~ General Proof of Claim Form also sets forth the amount of your claim as listed on the Schedules, the specific Debtor against which the claim is scheduled, and whether the claim is scheduled as “disputed,” “contingent,” or “unliquidated.” You will receive a different ~~proof of claim form~~ General Proof of Claim Form for each claim listed in your name on the Schedules. You may utilize the ~~proof of claim form~~ General Proof of Claim Form(s) provided by the Debtors to file your claim. Additional ~~proof of claim forms~~ General Proof of Claim Forms may be obtained at (i) the website established by the Debtors’ Court-approved claims and noticing agent, Omni Agent Solutions (the “Claims and Noticing Agent”), located at ~~www.OfficialBSAClaims.com~~ http://www.omniagentsolutions.com/bsaclaims, or (ii) the Bankruptcy Court’s website located at [www.uscourts.gov/forms/bankruptcy-forms](http://www.uscourts.gov/forms/bankruptcy-forms).

<b><u>Proofs of Claim must:</u></b>	<ul style="list-style-type: none"> <li>√ Be signed by the claimant</li> <li>√ Be written in English</li> <li>√ Be denominated in United States currency (using the exchange rate, if applicable, as of the</li> </ul>
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	Petition Date) ✓ Set forth with specificity the legal and factual basis for the alleged claim, including all of the information requested in the <u>General</u> Proof of Claim Form, and attach to your completed proof of claim any documents on which the claim is based (if voluminous, attach a summary) or explanation as to why the documents are not available
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Any holder of a claim against more than one Debtor must file a separate ~~proof of claim~~ General Proof of Claim with respect to each Debtor. Any holder of a claim must identify on its ~~proof of claim~~ General Proof of Claim the specific Debtor against which its claim is asserted and the case number of that Debtor's bankruptcy case. The Debtors are set forth on the first page of this Notice. Any holder of a claim must sign the claim or, if the claimant is not an individual, an authorized agent must sign the claim.

### III. WHEN AND WHERE TO FILE

Except as provided for herein, all proofs of claim must be filed so as to be **received on or before** ~~[-]~~ October 6, 2020 at 5:00 p.m. (prevailing Eastern Time) as follows:

**IF BY FIRST CLASS MAIL, OVERNIGHT COURIER OR HAND DELIVERY, TO:**

BSA Claims Processing  
 c/o Omni Agent Solutions  
 5955 De Soto Ave., Suite 100  
 Woodland Hills, CA 91367

### **IF ELECTRONICALLY:**

The website established by the Claims and Noticing Agent, using the interface available on the website located at <http://www.omniagentsolutions.com/bsaclaims> (the "Electronic Filing System").

General Proofs of ~~claim~~ Claim will be deemed filed only when received at the address listed above or via the Electronic Filing System on or before the applicable Bar Dates. **General Proofs of ~~claim~~ Claim may not be delivered by email, facsimile, or telecopy transmission or via an electronic filing system or filing with the Bankruptcy Court (other than General Proofs of Claim filed electronically through the Electronic Filing System).**

### IV. CONFIDENTIALITY PROTOCOL GOVERNING SUBMISSION OF PROOFS OF CLAIMS OF MINORS:

The Bar Date Order provides that a Confidentiality Protocol shall govern the submission of certain of the ~~Proofs~~ proofs of ~~Claim~~ claim:

Minors and their parents and legal guardians holding non-Abuse Claims are directed **not** to file a General Proof of Claim with the Court. Instead and as described above, the General Proof of Claim must be (a) mailed and delivered to the Claims and Noticing Agent at the following address:

**BSA Claims Processing  
c/o Omni Agent Solutions  
5955 De Soto Ave., Suite 100  
Woodland Hills, CA 91367**

or (b) filed through the Electronic Filing System via the website located at <http://www.omniagentsolutions.com/bsaclaims>.

#### **V. WHO NEED NOT FILE A PROOF OF CLAIM**

You do **not** need to file a ~~proof-of-claim~~General Proof of Claim on or prior to the applicable Bar Dates if you are:

- (1) any person who holds a prepetition abuse claim, which includes any liquidated or unliquidated Claim that is attributable to, arises from, is based upon, relates to, or results from, in whole or in part, directly, indirectly, or derivatively, sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, indecent assault and/or battery, rape, pedophilia, ephebophilia, sexually related psychological or emotional harm, humiliation, anguish, shock, sickness, disease, disability, dysfunction, or intimidation, any other sexual misconduct or injury, contacts or interactions of a sexual nature, including the use of photography, video, or digital media, or other physical abuse or bullying without regard to whether such physical abuse or bullying is of a sexual nature, between a child and an adult, between a child and another child, or between a non-consenting adult and another adult, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether there is or was any associated physical, psychological, or emotional harm to the child or non-consenting adult that occurred prior to the Petition Date (each, an “Abuse Claim”);
- (2) any person or entity whose claim is listed on the Schedules; provided that (i) the claim is **not** listed on the Schedules as “disputed,” “contingent,” or “unliquidated,” (ii) the person or entity does not dispute the amount, nature, and priority of the claim as set forth in the Schedules, and (iii) the person or entity does not dispute that the claim is an obligation of the specific Debtor against which the claim is listed in the Schedules;
- (3) any person or entity whose claim has been paid in full;

- (4) any holder of a claim allowable under section 503(b) and 507(a)(2) of the Bankruptcy Code as an administrative expense (**other than** a holder of a section 503(b)(9) claim);
- (5) any person or entity who holds a claim that heretofore has been allowed by ~~Order~~order of the Bankruptcy Court entered on or before the applicable Bar Date;
- (6) any holder of a claim for which a separate deadline has been fixed by the Bankruptcy Court;
- (7) any person or entity (other than ~~a holder of~~ an Abuse ~~Claim~~Survivor) who has already filed a General Proof of Claim with the Claims and Noticing Agent against the Debtors with respect to the claim being asserted, utilizing a claim for that substantially conforms to the General Proof of Claim Form or Official Bankruptcy Form No. 410; or
- (8) each Debtor in these chapter 11 cases having a claim against the other Debtor in these chapter 11 cases.

This Notice may be sent to persons and entities that have had some relationship with or have done business with the Debtors but may not have an unpaid claim against the Debtors. **The fact that you have received this Notice does not mean that you have a claim or that the Debtors or the Bankruptcy Court believe that you have a claim against the Debtors.**

## VI. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

If you hold a claim arising out of the rejection of an executory contract or unexpired lease you must file a ~~proof of claim~~General Proof of Claim based on such rejection within thirty (30) days after the later of (i) the date of entry of an order of the Bankruptcy Court (including the Confirmation Order) approving such rejection, (ii) the effective date of such rejection, or (iii) the effective date of a plan of reorganization, or be forever barred from doing so; provided, however, that a party to an executory contract or unexpired lease that asserts a claim on account of unpaid amounts accrued and outstanding as of the Petition Date pursuant to such executory contract or unexpired lease (other than a rejection damages claim) must file a ~~proof of claim~~General Proof of Claim for such amounts on or before the General Bar Date or Governmental Bar Date, as applicable, unless an exception identified in Section V above applies.

## VII. CONSEQUENCES OF FAILURE TO FILE A PROOF OF CLAIM BY THE APPLICABLE BAR DATE

ANY HOLDER OF A CLAIM THAT IS NOT EXEMPTED FROM THE REQUIREMENTS OF THE BAR DATE ORDER, AS SET FORTH IN SECTION V ABOVE, AND THAT FAILS TO TIMELY FILE A PROOF OF CLAIM IN THE APPROPRIATE FORM SHALL NOT BE TREATED AS A CREDITOR WITH RESPECT TO SUCH CLAIM FOR THE PURPOSES OF VOTING ON ANY PLAN OF REORGANIZATION FILED IN THESE CASES AND PARTICIPATING IN ANY DISTRIBUTION IN THE DEBTORS' CASES ON ACCOUNT OF SUCH CLAIM.

## VIII. THE DEBTORS' SCHEDULES AND ACCESS THERETO

You may be listed as a holder of a claim against one or more of the Debtors in the Debtors' Schedules. To determine if and how you are listed on the Schedules, please refer to the descriptions set forth on the enclosed ~~proof-of-claim-form~~ General Proof of Claim Form(s) regarding the nature, amount, and status of your claim(s). If you received postpetition payments from the Debtors (as authorized by the Bankruptcy Court) on account of your claim(s), the enclosed ~~proof-of-claim-form~~ General Proof of Claim Form will reflect the net amount of your claim(s).

If you rely on the Debtors' Schedules and/or the enclosed ~~proof-of-claim-form~~ General Proof of Claim Form(s), it is your responsibility to determine that the claim accurately is listed on the Schedules. However, you may rely on the enclosed form, which lists your claim as scheduled, identifies the Debtor against which it is scheduled, and specifies whether the claim is disputed, contingent, or unliquidated.

As set forth above, if you agree with the nature, amount, and status of your claim as listed in the Debtors' Schedules, and if you do not dispute that your claim only is against the Debtor specified by the Debtors, and if your claim is not described as "disputed," "contingent," or "unliquidated," you need not file a ~~proof-of-claim~~ General Proof of Claim. Otherwise, or if you decide to file a ~~proof-of-claim~~ General Proof of Claim, you must do so before the applicable Bar Dates, in accordance with the procedures set forth in this Notice.

In the event that the Debtors amend or supplement their Schedules subsequent to the entry of the Bar Date Order, the Debtors shall give notice of any amendment or supplement to the holders of claims affected thereby, and such holders shall have until the later of (i) the applicable Bar Date and (ii) thirty (30) days from the date of such notice to file a ~~proof-of-claim~~ General Proof of Claim or be barred from doing so and shall be given notice of such deadline.

Copies of the Debtors' Schedules are available for inspection on the Bankruptcy Court's electronic docket for the Debtors' chapter 11 cases, which is posted on (i) the website established by Omni Agent Solutions, the claims and noticing agent for the Debtors' cases, at ~~www.OfficialBSAClaims.com~~ www.omniagentsolutions.com/bsa, at no charge and (ii) on the Court's website at <http://www.deb.uscourts.gov/>. A login and password to the Bankruptcy Court's Public Access to Electronic Records ("PACER") are required to access this information and can be obtained through the PACER Service Center at <http://www.pacer.gov>.

Copies of the Schedules also may be examined between the hours of 8:00 a.m. and 4:00 p.m., Prevailing Eastern Time, Monday through Friday at the Office of the Clerk of the Court, 824 North Market Street, 3rd Floor, Wilmington, Delaware 19801. Copies of the Debtors' Schedules also may be obtained by request to the Claims and Noticing Agent.

**A HOLDER OF A POTENTIAL CLAIM AGAINST THE DEBTORS SHOULD CONSULT AN ATTORNEY REGARDING ANY MATTERS NOT COVERED BY THIS NOTICE, SUCH AS WHETHER THE HOLDER SHOULD FILE A PROOF OF CLAIM.**

If you need additional information about the Bar Dates, proofs of claim forms, filing proofs of claim or other information about the Debtors' chapter 11 cases, you can contact the Claims and Noticing Agent by:

**Calling (toll-free): 866-907-BSA1**

**Emailing: BSAInquiries@omniagnt.com**

**Visiting:**

**~~www.OfficialBSAClaims.com~~ <http://www.omniagentsolutions.com/bsaclaims>**

You may obtain information, but not legal advice, from the Claims and Noticing Agent. You ~~should~~may wish to consult an attorney if you have any questions, including if you should file a ~~proof of claim~~General Proof of Claim.



Dated: \_\_\_\_\_, 2020  
Wilmington, Delaware

**BY ORDER OF THE COURT**

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/

\_\_\_\_\_  
Derek C. Abbott (No. 3376)  
Andrew R. Remming (No. 5120)  
Joseph C. Barsalona II (No. 6102)  
Paige N. Topper (No. 6470)  
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– and –

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COUNSEL TO THE DEBTORS AND DEBTORS IN  
POSSESSION

**Exhibit 6**

**Abuse Claims Bar Date Notice**

**FCRA00074**

# Notice of Deadline for Filing Abuse Claims in the Boy Scouts of America Bankruptcy Case

## ***All Abuse Survivors Need to File Claims by October 6, 2020***

*This is an official notice approved by the Bankruptcy Court. This is not a solicitation from a lawyer.*

Una versión en español de este aviso está disponible en [www.OfficialBSAclaims.com](http://www.OfficialBSAclaims.com) o llamando al 1-866-907-2721.

- Please read this notice carefully as it impacts your rights against the Boy Scouts of America (“BSA”), Local Councils and the organizations that sponsored your troop or pack.
- **We encourage all survivors who have experienced abuse, regardless of how old you are today or when the abuse happened (“Abuse Survivors”) to come forward and file claims. Your information will be kept confidential.**
- You should file a claim by **October 6, 2020**, if you have an abuse claim based on any abuse that occurred on or before February 18, 2020. **If you do not file an abuse claim, you may lose rights against BSA, Local Councils, and organizations that sponsored your troop or pack.**
- You can file a claim using the Abuse Survivor Proof of Claim Form approved by the court (1) at the following website: [www.OfficialBSAclaims.com](http://www.OfficialBSAclaims.com), or (2) by mailing your Abuse Survivor Proof of Claim to the address listed below. **Your information will be kept confidential.**
- Register your email address at [www.OfficialBSAclaims.com](http://www.OfficialBSAclaims.com) in order to receive important case information.
- **If the plan to reorganize BSA is approved, it could release claims you hold against certain third parties, including against Local Councils and organizations that sponsored your troop or pack.** Please visit [www.OfficialBSAclaims.com](http://www.OfficialBSAclaims.com) to learn more about the release. See Question 9 below for more information.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS BANKRUPTCY CASE	
<b>FILE A PROOF OF CLAIM</b>	The only way to get compensation for any harm done to you during your time in Scouting.
<b>DO NOTHING</b>	Get no compensation. If you are an adult and do not have a repressed memory of abuse, you will give up your right to bring your claim in the future.

- Your rights and options – **and the deadline to exercise them by** – are explained in more detail in this notice.

## BASIC INFORMATION

### 1. Why was this notice issued?

The Boy Scouts of America has filed a bankruptcy case. The Bankruptcy Court has set a deadline for filing claims against the Boy Scouts of America for abuse that occurred on or before February 18, 2020, the date that the bankruptcy case was filed. This notice explains the bankruptcy, your legal rights, and who eligible to file an Abuse Survivor Proof of Claim.

This case is filed in the U.S. Bankruptcy Court for the District of Delaware, and the case is known as *In re Boys Scouts of America and Delaware BSA, LLC*, Case No. 20-10343 (LSS). The Bankruptcy Court judge overseeing the case is Judge Laurie Selber Silverstein. BSA and Delaware BSA, LLC, non-profit organizations, are called the “Debtors.”

The Bankruptcy Court authorized the Boy Scouts of America to send out this notice because if you were abused, regardless of when the abuse happened or how old you are today, you have the right to submit an Abuse Survivor Proof of Claim before the deadline to file claims.

### 2. What is this bankruptcy about?

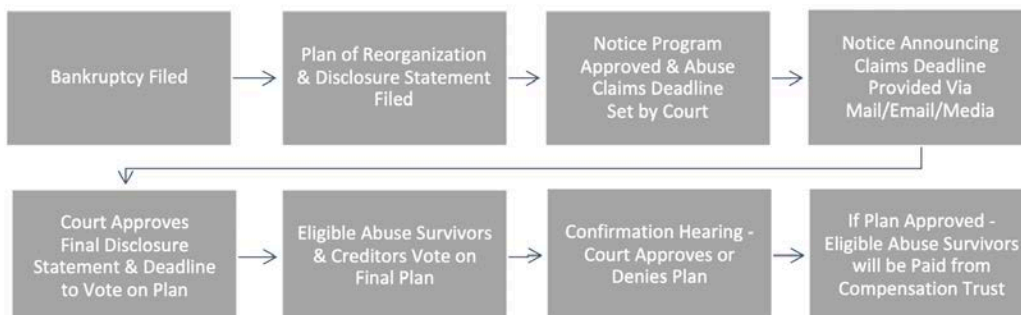
As widely reported, BSA is currently a defendant in numerous lawsuits related to historical acts of abuse in its Scouting programs. BSA cannot continue to address abuse litigation on a case-by-case basis. In addition to the unsustainable financial cost of continuing to engage in piecemeal litigation across the country, continuing this process will result in the risk of inconsistent judicial outcomes and unequal treatment of Abuse Survivors. For these reasons, BSA decided to file for chapter 11 bankruptcy.

BSA intends to set up a trust to compensate survivors of historical acts of abuse related to its programs as part of this bankruptcy proceeding.

### 3. What is Chapter 11?

Chapter 11 is a form of bankruptcy that involves the reorganization of a debtor’s business affairs, debts, and assets. Organizations generally file for chapter 11 bankruptcy if they require time to restructure their debts and obligations. In most cases, the debtor (the bankruptcy filer), called a debtor in possession, runs the business, until a plan of reorganization is confirmed and the debtor emerges from bankruptcy, which is the main objective of the case.

#### Steps in Bankruptcy (we are currently at the fourth step):



QUESTIONS? CALL 1-866-907-2721, EMAIL [BSAINQUIRIES@OMNIAGNT.COM](mailto:BSAINQUIRIES@OMNIAGNT.COM), OR VISIT [WWW.OFFICIALBSACLAIMS.COM](http://WWW.OFFICIALBSACLAIMS.COM)

## ABUSE CLAIMS

### 4. What is considered abuse?

You have an Abuse Claim if you experienced in any of the following in Scouting:

- Sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, indecent assault and/or battery, rape, pedophilia, or ephebophilia;
- Sexually related psychological or emotional harm, humiliation, anguish, shock, sickness, disease, disability, dysfunction, or intimidation;
- Any other sexual misconduct or injury, contacts or interactions of a sexual nature, including the use of photography, video, or digital media; or
- Other physical abuse or bullying regardless of whether the physical abuse or bullying was of a sexual nature.

The abuse did not have to involve explicit force. Additionally, the abuse did not have to involve genital or other physical contact, and you do not need to have any associated physical, psychological, or emotional harm to file an Abuse Claim.

The abuse **must have occurred on or before February 18, 2020** and be between a child and an adult, between a child and another child, or between a non-consenting adult and another adult.

### 5. Who should file an Abuse Survivor Proof of Claim?

You should file an Abuse Survivor Proof of Claim if you experienced abuse on or before February 18, 2020 regardless of whether you:

- Reported your abuse to BSA or anyone else;
- Never reported your abuse to BSA or anyone else;
- Filed a lawsuit or asserted claims against the BSA and/or a Local Council or organization that sponsored your troop or pack related to Scouting activities;
- Previously had your Abuse Claim paid in full by BSA under a settlement, but you believe you may have additional claims beyond what was agreed to in the settlement agreement;
- Previously filed an Abuse Claim on a standard proof of claim form (*e.g.*, Official Bankruptcy Form 410). You must re-file your Abuse Claim and use the designated Abuse Survivor Proof of Claim Form; and/or
- Are included in, or represented by, another action with respect to your Abuse Claim.

You should submit an Abuse Survivor Proof of Claim regardless of your age now or the length of time that has passed since the abuse took place.

Even if the applicable state statute of limitations has run on your Abuse Claim, you should still file your claim.

**QUESTIONS? CALL 1-866-907-2721, EMAIL [BSAINQUIRIES@OMNIAGNT.COM](mailto:BSAINQUIRIES@OMNIAGNT.COM), OR VISIT [WWW.OFFICIALBSACLAIMS.COM](http://WWW.OFFICIALBSACLAIMS.COM)**

**Statutes of limitation** are laws passed by a legislative body in each state that sets the maximum time after an event or the discovery of an event when a lawsuit may be filed. Statutes of limitation vary by state.

You do not need to file an Abuse Survivor Proof of Claim if you are a “future claimant.” Future claimants are individuals who:

- were under the age of 18 as of February 18, 2020; and/or
- are not aware of their abuse claim as a result of “repressed memory,” to the extent this concept is recognized by the highest court of the state or territory where the abuse occurred.

The court has appointed a Future Claimants’ Representative to represent your rights in the bankruptcy case.

Do not submit an Abuse Survivor Proof of Claim if your claim against the BSA is based on anything other than abuse. For non-abuse claims, you should consult the *Notice of Deadlines Requiring Filing of Proof of Claim* and file a General Proof of Claim (Official Bankruptcy Form 410).

#### **6. What if I am still not sure if I have an abuse claim?**

You may consult with an attorney if you have any questions, including whether you should file an Abuse Survivor Proof of Claim.

### **HOW TO FILE AN ABUSE SURVIVOR PROOF OF CLAIM**

#### **7. How can I file my Abuse Survivor Proof of Claim?**

You need to submit an Abuse Survivor Proof of Claim by **5:00 p.m. (Eastern Time) on October 6, 2020**. You can use the enclosed form or you can download one and send it electronically through the link below or by mail at the address below. If you have questions you can contact your attorney or call 1-866-907-2721 to speak to the Claims Agent. The Claims Agent can provide information but cannot offer any legal advice.

Please send your Abuse Survivor Proof of Claim to one of the following:

<b>By Mail, Overnight Courier/ Hand Delivery</b>	<b>Through the Bankruptcy Case Website</b>
BSA Abuse Claims Processing c/o Omni Agent Solutions 5955 De Soto Ave., Suite 100 Woodland Hills, CA 91367	Go to <a href="http://www.OfficialBSAClaims.com">www.OfficialBSAClaims.com</a>

## 8. Will my information be kept confidential?

Yes, subject to the limitations described below. The Bankruptcy Court has set up a confidentiality procedure to protect your privacy. In order to protect your privacy, please do not file your Abuse Survivor Proof of Claim with the Bankruptcy Court. Abuse Claims will not be open to the public unless you choose to release that information.

The Bankruptcy Court has allowed the following limited parties to review claims under the confidentiality procedures:

- Counsel and advisors to the Debtors retained pursuant to an order of the Court;
- Officers, directors, and employees of the Debtors necessary to assist the Debtors and their counsel in reviewing and analyzing the Abuse Claims;
- The Claims Agent (Omni Agent Solutions);
- The Tort Claimants' Committee;
- The Ad Hoc Committee of Local Councils;
- The Office of the United States Trustee for the District of Delaware;
- Insurance companies (including their successors) that provided insurance related to the claims described in the Abuse Survivor Proofs of Claim, including authorized claims administrators of such insurance companies and their reinsurers and counsel;
- The Future Claimants' Representative;
- Any special arbitrator, mediator, or claims reviewer appointed to review and resolve Abuse Claims;
- Any trustee, or functional equivalent thereof, appointed to administer payments to holders of Abuse Claims;
- Anyone with the express written consent of the Debtors and the Tort Claimants' Committee appointed by this Court to represent holders of Abuse Claims upon 7 business days' notice to holders of Abuse Claims; and
- Other people that the Court determines should have the information in order to evaluate Abuse Claims or the claims of minors upon 7 business days' notice to such claims holders.

Please note that information in your Abuse Survivor Proof of Claim may be disclosed to governmental authorities under mandatory reporting laws in many jurisdictions.

## ADDITIONAL INFORMATION

## 9. Where can I get support?

BSA has partnered with lin6, a trusted national resource for male survivors, to expand their services so that survivors of abuse are able to anonymously access vital support from trained advocates when and how they need it. Abuse Survivors can access these services at [www.lin6.org/BSA](http://www.lin6.org/BSA). This is a multi-year commitment, which BSA believes is an important component of the support it provides on an ongoing basis.

QUESTIONS? CALL 1-866-907-2721, EMAIL [BSAINQUIRIES@OMNIAGNT.COM](mailto:BSAINQUIRIES@OMNIAGNT.COM), OR VISIT [WWW.OFFICIALBSACLAIMS.COM](http://WWW.OFFICIALBSACLAIMS.COM)

BSA will also continue to fund in-person counseling for any current or former Scout or member of their family by a provider of their choice, when they are ready to take that step. To request in-person counseling, please call 1-866-907-2721 or email [restructuring@scouting.org](mailto:restructuring@scouting.org).

#### **10. How do I report abuse?**

If you are a survivor of abuse, you should immediately contact the police to report the abuse. If you have not previously reported the abuse to BSA, please call 1-866-907-2721 or email [restructuring@scouting.org](mailto:restructuring@scouting.org). Reporting the abuse protects other children by ensuring that perpetrators are barred from Scouting and are reported to law enforcement. It is the best thing you can do to ensure the person who hurt you is not allowed to do it again.

Please know that reporting abuse is different than filing a claim in BSA's bankruptcy case.

#### **11. What is being released under the plan of reorganization?**

The chapter 11 plan of reorganization may contain broad releases of the BSA and certain third parties and related injunction provisions. If approved, these provisions could release claims you hold against the BSA and certain third parties, including against Local Councils and organizations that sponsored your troop or pack. Also if approved, these provisions would prohibit you from filing lawsuits against the BSA and certain third parties related to any Abuse Claim. Instead, the proposed chapter 11 plan proposes to channel these claims to a trust for Abuse Survivors. You should carefully review the full text of the plan of reorganization release, injunction, and related provisions and any applicable release provision at [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com). You should also register your email address at [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com) in order to receive important case information.

#### **12. What rights are the Debtors reserving?**

The Debtors have the right to object to any claim or proof of claim on any ground, including, but not limited to, the passing of the applicable statutes of limitation. The Debtors reserve their right to dispute, or to assert offsets or defenses to, any Abuse Claim, including, but not limited to: the amount, liability, or classification. The Debtors can choose to define a claim as disputed, contingent, unliquidated, or undetermined.

#### **13. What happens if I do not file an Abuse Survivor Proof of Claim?**

If you fail to submit a completed Abuse Survivor Proof of Claim to the Claims Agent on or before **October 6, 2020**, you may not be able to:

- assert your Abuse Claim in the future;
- vote on the Debtors' plan of reorganization; or
- receive any distribution in the BSA bankruptcy case as compensation for your Abuse Claim.

**YOU MAY WANT TO CONSULT WITH AN ATTORNEY REGARDING THIS NOTICE AND WHETHER YOU SHOULD FILE AN ABUSE SURVIVOR PROOF OF CLAIM.**



**Exhibit 7**

**Abuse Claims Publication Notice**

**FCRA00081**



# Abuse Claims in Boy Scouts of America Bankruptcy

## Abuse Survivors Need to File Claims by October 6, 2020

The Boy Scouts of America (“BSA”) has filed bankruptcy in order to restructure its nonprofit business and pay Abuse Survivors. Please read this notice carefully as it impacts your rights against BSA, Local Councils and organizations that sponsored your troop or pack. This notice provides information about the bankruptcy, *In re Boys Scouts of America and Delaware BSA, LLC*, No. 20-10343.

**We encourage Abuse Survivors, regardless of how old they are today or when the abuse happened, to file claims.**

### Who Should File an Abuse Claim?

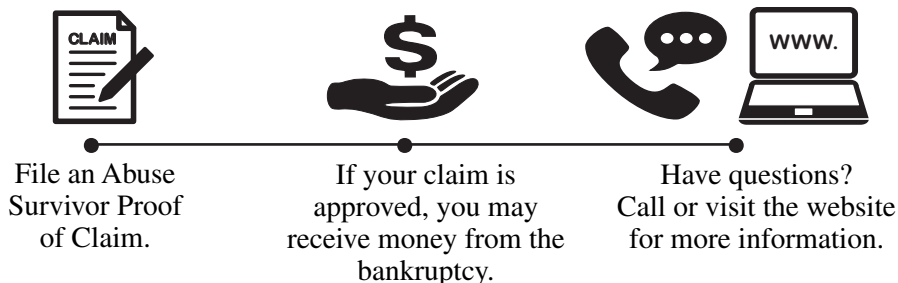
You should file if you have a claim based on any abuse that occurred on or before February 18, 2020. Abuse claims include, but are not limited to: sexual abuse, physical abuse, emotional harm, humiliation, molestation, and bullying. These acts did not have to be sexual in nature and could be between a child and an adult, between a child and another child, or between a non-consenting adult and another adult.

### When and How Should I File an Abuse Claim?

You should file a claim using the Abuse Survivor Proof of Claim Form by **October 6, 2020 at 5:00 p.m. (Eastern Time)**. **If you do not file a timely abuse claim, you may lose rights against BSA, Local Councils or organizations that sponsored your troop or pack.**

**Your information will be kept confidential.** You can file a claim at [www.OfficialBSAclaims.com](http://www.OfficialBSAclaims.com)

### Act Now Before Time Runs Out:



Register your email address at the case website to receive important case information.

**If the plan to reorganize BSA is approved, it could release claims you hold against certain third parties, including against Local Councils and organizations that sponsored your troop or pack.** Please visit the website to review the plan of reorganization and to learn more about the release.

### Other Support

BSA has partnered with 1in6, a trusted national resource for male survivors, to allow you to anonymously access vital support from trained advocates at [www.1in6.org/BSA](http://www.1in6.org/BSA).

**Your information will be kept confidential.**

**Exhibit 8**

**Abuse Claims Email Notice**

**FCRA00083**

To:  
From: [BSAInquiries@omniagnt.com](mailto:BSAInquiries@omniagnt.com)  
Re: Boys Scouts of America Bankruptcy Deadline

**Abuse Claims in Boy Scouts of America Bankruptcy  
Abuse Survivors Need to File Claims by October 6, 2020**

Una versión en español de este aviso está disponible en  
[www.OfficialBSAclaims.com](http://www.OfficialBSAclaims.com) o llamando al 1-866-907-2721.

The Boy Scouts of America (“BSA”) has filed bankruptcy in order to restructure its nonprofit business and pay Abuse Survivors. Please read this notice carefully as it impacts your rights against BSA, Local Councils and organizations that sponsored your troop or pack. This notice provides information about the bankruptcy case, *In re Boys Scouts of America and Delaware BSA, LLC*, No. 20-10343. Go to [www.OfficialBSAclaims.com](http://www.OfficialBSAclaims.com) or call 1-866-907-2721 for more information.

**We encourage Abuse Survivors, regardless of how old they are today or when the abuse happened, to file claims.**

**Who Should File an Abuse Claim?**

You should file if you have a claim based on any abuse that occurred on or before February 18, 2020. Abuse claims include, but are not limited to: sexual abuse, physical abuse, emotional harm, humiliation, and bullying. These acts did not have to be sexual in nature and could be between a child and an adult, between a child and another child, or between a non-consenting adult and another adult.

**When and How Should I File an Abuse Claim?**

You should file a claim using the Abuse Survivor Proof of Claim Form by **October 6, 2020 at 5:00 p.m. (Eastern Time)**. **If you do not file a timely abuse claim, you may lose rights against BSA, Local Councils, or organizations that sponsored your troop or pack.**

**Your information will be kept confidential.** You can file a claim at the website below or call for more information on how to file a claim by mail.

**Act Now Before Time Runs Out:**

- File an Abuse Survivor Proof of Claim.
- If your claim is approved, you may receive money from the bankruptcy.
- Have questions? Call or visit the website for more information.

Register your email address at [www.OfficialBSAclaims.com](http://www.OfficialBSAclaims.com) to receive important case information. **If the plan to reorganize BSA is approved, it could release claims you hold against certain third parties, including against Local Councils and organizations that sponsored your troop or pack.** Please visit the website to review the plan of reorganization and to learn more about the release.

**Other Support**

BSA has partnered with lin6, a trusted national resource for male survivors, to allow you to anonymously access vital support from trained advocates at [www.lin6.org/BSA](http://www.lin6.org/BSA).

**Your information will be kept confidential.**

[www.OfficialBSAclaims.com](http://www.OfficialBSAclaims.com)

1-866-907-2721

**Exhibit 9**

**Abuse Survivor Proof of Claim Form**

**FCRA00085**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

(Jointly Administered)

**ABUSE SURVIVOR PROOF OF CLAIM**

This Abuse Survivor Proof of Claim must be submitted so as to be received by **5:00 p.m. (Eastern Time)** on **October 6, 2020**. Please carefully read the following instructions included with this Abuse Survivor Proof of Claim Form and complete ALL applicable questions to the extent of your knowledge or recollection. If you do not know the answer to an open-ended question, you can write “I don’t recall” or “I don’t know.” If a question does not apply, please state “N/A.” If you are completing this form in hard copy, please type or print clearly using blue or black ink.

The Abuse Survivor Proof of Claim must be delivered to Omni Agent Solutions, the Court-approved claims and noticing agent (the “Claims Agent”), by either:

- (i) Hand delivery, first class mail, or courier the *original* proof of claim to: BSA Abuse Claims Processing, c/o Omni Agent Solutions, 5955 De Soto Ave., Suite 100, Woodland Hills, CA 91367, so that it is *received* on or before **October 6, 2020 at 5:00 p.m. (Eastern Time)**; or
- (ii) Electronically using the interface available at: [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com) on or before **October 6, 2020 at 5:00 p.m. (Eastern Time)**.

Abuse Survivor Proofs of Claim sent by email, facsimile or telecopy transmission **will not** be accepted.

“You” and/or “Abuse Survivor” refers to the person asserting an Abuse Claim against the Debtors related to the Abuse Survivor’s abuse. To be valid, the Abuse Survivor must sign this form and attest that the information it contains is and correct. If the Abuse Survivor is deceased or incapacitated, the form may be signed by the Abuse Survivor’s representative or the attorney for the Abuse Survivor’s estate. If the Abuse Survivor is a minor, the form may be signed by the survivor’s parent or legal guardian or attorney.

**Who Should File this Form?**

This Abuse Survivor Proof of Claim is only for survivors who have experienced abuse to assert an unsecured claim against the Boy Scouts of America (the “**BSA**”) seeking damages based on abuse for which you believe the BSA is responsible. Any person asserting a claim based on anything other than abuse (defined below) should use the General Proof of Claim form (official bankruptcy form 410).

**What Is “Abuse”?**

<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors’ mailing address is 1325 West Walnut Hill Lane, Irving, Texas 75038.

For the purposes of this Abuse Survivor Proof of Claim, “**abuse**” is defined as sexual conduct or misconduct, sexual abuse or molestation, sexual exploitation, indecent assault and/or battery, rape, pedophilia, ephebophilia, sexually related psychological or emotional harm, humiliation, anguish, shock, sickness, disease, disability, dysfunction, or intimidation, any other sexual misconduct or injury, contacts or interactions of a sexual nature, including the use of photography, video, or digital media, or other physical abuse or bullying without regard to whether such physical abuse or bullying is of a sexual nature, between a child and an adult, between a child and another child, or between a non-consenting adult and another adult, in each instance without regard to whether such activity involved explicit force, whether such activity involved genital or other physical contact, and whether there is or was any associated physical, psychological, or emotional harm to the child or non-consenting adult.

For the avoidance of doubt, the terms “abuse,” “abuser,” and “abused” shall have correlative meanings.

### **You May Wish To Consult Your Attorney Regarding This Matter.**

You may obtain information from the Claims Agent by: (1) calling toll free at 866-907-2721, (2) emailing at [BSAInquiries@omniagnt.com](mailto:BSAInquiries@omniagnt.com), or (3) visiting the case website at [www.OfficialBSAClaims.com](http://www.OfficialBSAClaims.com) (do not contact the Claims Agent for legal advice), or from the attorneys for the Official Tort Claimants’ Committee (Pachulski, Stang, Ziehl & Jones LLP).

### **What If I Don’t File on Time?**

**Failure to complete and return this Abuse Survivor Proof of Claim Form by October 6, 2020 at 5:00 p.m. (Eastern Time) may result in your inability to vote on a plan of reorganization and/or to receive a distribution from this bankruptcy for abuse related to the BSA.**

**The penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.**

## **PART 1: CONFIDENTIALITY**

Unless you indicate otherwise below, your identity and your Abuse Survivor Proof of Claim will be kept **confidential**, under seal, and not disclosed in the public record; however, information in this Abuse Survivor Proof of Claim will be confidentially provided, pursuant to Court-approved guidelines, to the Debtors, the Debtors’ counsel and other retained professionals, certain insurers of the BSA, the Tort Claimants’ Committee, the ad hoc committee of Local Councils, attorneys at the Office of the United States Trustee for the District of Delaware, the Future Claimants’ Representative, and confidentially to such other persons that the Court determines need the information in order to evaluate the claim. Information in this Abuse Survivor Proof of Claim may be required to be disclosed to governmental authorities under mandatory reporting laws in many jurisdictions.

**This Abuse Survivor Proof of Claim (along with any accompanying exhibits and attachments) will be maintained as confidential unless you expressly request that it be publicly available by checking the “public” box and signing below.**



**PUBLIC:** I want my identity and this Abuse Survivor Proof of Claim (together with any exhibits and attachments) to be made part of the official claims register in these cases. **My claim will be available for review by any and all members of the public.**

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

**PART 2: IDENTIFYING INFORMATION****A. Identity of Abuse Survivor**

First Name \_\_\_\_\_ Middle Initial \_\_\_\_\_ Last Name \_\_\_\_\_ Jr/Sr/III \_\_\_\_\_

Mailing Address (If Abuse Survivor is incapacitated, is a minor, or is deceased, provide the address of the individual submitting the claim. If you are in jail or prison, provide the address of your place of incarceration):

Number and Street:					
City:		State:		Zip Code:	
Country (not USA):		Email Address:			
Telephone (Home):		Telephone (Cell):			

For communications regarding this claim you may use (check the appropriate boxes):

Email ☐ US Mail ☐ Home Voicemail ☐ Cell Voicemail ☐ Counsel listed below ☐

Social Security Number of Abuse Survivor (last four digits only): \_\_\_\_\_

If the Abuse Survivor is in jail or prison, provide the Abuse Survivor's identification number (last four digits only): \_\_\_\_\_

Birth Year of Abuse Survivor (only the year): \_\_\_\_\_

Any other name, or names, by which the Abuse Survivor has ever been known:

\_\_\_\_\_

Gender of Abuse Survivor: Male ☐ Female ☐ Other (specify) \_\_\_\_\_



**B. If you have hired an attorney relating to the abuse described in this Abuse Survivor Proof of Claim, please provide their name and contact information:**

Law Firm Name:					
Attorney's Name:					
Number and Street:					
City:		State:		Zip Code:	
Country (not USA):		Email Address:			
Telephone (Work):		Fax No.			

**PART 3: BACKGROUND INFORMATION FOR ABUSE SURVIVOR**

**A. Marital/Domestic Partner History:**

- a. Have you ever been married? Yes ☐ No ☐
- b. If yes, please provide:
- i. Length of time you were/have been married: \_\_\_\_\_
- ii. Current marital status: \_\_\_\_\_
- c. If no, please specify whether your marriage ended by: divorce ☐ or death of your spouse ☐

**B. Education History:**

- a. What is your highest level of education completed or degree obtained?
- High School ☐ Associates ☐ Bachelors ☐ Masters ☐ Doctoral ☐ Other \_\_\_\_\_
- b. Educational institution: \_\_\_\_\_

**C. Employment:**

- a. What is your current employment status:
- ☐ Employed – Occupation: \_\_\_\_\_
- ☐ Retired – Former Occupation: \_\_\_\_\_
- ☐ Unemployed
- ☐ Disabled
- ☐ Other: \_\_\_\_\_

**D. Military service:**

- a. Have you ever served in the military? Yes ☐ No ☐
- b. If yes, please provide the following information:
- c. Branch(es) of service: \_\_\_\_\_
- d. Years of service in each: \_\_\_\_\_
- e. Rank at discharge for each: \_\_\_\_\_
- f. Nature of discharge for each (e.g., honorable): \_\_\_\_\_

**E. Involvement with Scouting:**

- a. Have you ever been affiliated with Scouting and/or a Scouting program?  
Yes ☐ No ☐
- b. Are you currently involved with Scouting? Yes ☐ No ☐
- c. If you are currently or were formerly involved with Scouting:
- i. What type of Scouting unit (i.e., troop) are or were you involved with?
- ☐ Boy Scouts
- ☐ Cub Scouts
- ☐ Exploring Scouts
- ☐ Sea Scouts
- ☐ Venturing
- ☐ Other (please explain your involvement with Scouting): \_\_\_\_\_

d. How long were or have you been involved with Scouting? \_\_\_\_\_

**F. Legal Background:**

- a. Have you ever been accused of or involved as a party to a court action involving claims of fraud? If so, please identify the court, mediator or arbitrator who handled the case, the location of the court, mediator or arbitrator, the subject matter of the case, your connection to the case, the outcome or current status of the case including recovery of any damage amounts by you, and the date or time period of the case.

<b>PART 4: NATURE OF THE ABUSE</b>
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**(Attach additional sheets if necessary)**

**For each of the questions listed below, please complete your answers to the best of your recollection.**

**Note:** If you have previously filed a lawsuit about your Scouting-related abuse in state or federal court, you may attach a copy of the complaint. If you have not filed a lawsuit, or if the complaint does not contain all of the information requested below, you or your attorney must provide the information below to the extent of your recollection.

**If you are the survivor of abuse perpetrated by more than one abuser, please separately complete Part 4 of this Abuse Survivor Proof of Claim for each abuser.**

- A. Please name each person who abused you in relation to your involvement in Scouting. If you do not remember the name of the abuser(s), provide as much identifying information about each abuser(s) that you can recall, including their relationship to Scouting (e.g., the Scoutmaster of Troop 100, another Troop member of Troop 200, etc.). Please also note if you have/had any family relationship to your alleged abuser (e.g., father, grandfather, sibling, etc.).

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- B. What was each abuser's position, title, or relationship to you in Scouting (check all that apply)?

- ☐ Adult Scout leader in my Scouting unit
- ☐ Adult Scout leader not in my Scouting unit
- ☐ Youth Scout in my Scouting unit
- ☐ Youth Scout not in my Scouting unit
- ☐ Adult Scout leader of a Scout camp who was not a Scout leader of my Scouting unit
- ☐ Youth Scout at a Scout camp who was not a Scout in my Scouting unit (e.g., camp staff)
- ☐ Adult or Youth Scout member that does not fit one of the above categories
- ☐ I don't know

☐ Other (please explain why you believe the person(s) who abused you had a relationship with Scouting): \_\_\_\_\_

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C. Where were you living at the time of the abuse? City: \_\_\_\_\_ State: \_\_\_\_\_

D. At the time of the abuse, were you an adult or a child under the age of 18?

Adult ☐ Child under the age of 18 ☐

E. What was the type of Scouting unit you were involved with during the abuse (check all that apply)?

☐ Boy Scouts

☐ Cub Scouts

☐ Exploring Scouts

☐ Venturing

☐ Sea Scouts

☐ Other (please explain why you believe you had a connection to Scouting during the abuse): \_\_\_\_\_

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F. What was the Scouting unit number and physical location (city, state) of your Scouting unit(s) during the abuse?

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G. What was the name of the organization that chartered or sponsored your Scouting unit (e.g., a religious institution, church, a school, a community center, or a civic group, etc.)?

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H. What was the name of the Local Council(s) with which your Scouting unit(s) were affiliated during the abuse or that oversaw any Boy Scout camp or other Scouting activity that you believe may have enabled or allowed the abuse to occur?

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- I. Where did each act of abuse take place? Please be as specific as possible, including city, state, Scouting unit number, and the name(s) of any camps, properties, schools, churches, or other locations. If any of the incidents of abuse occurred in the abuser's home or automobile, please provide information and also explain how the abuser used their position in Scouting or a Scouting activity to abuse you (e.g., in the abuser's car on a ride home from Scout meetings, or in the abuser's home during or after Scout meetings).

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- J. When did the abuse occur? (If you cannot remember exact dates, please provide approximate dates, i.e. month(s) and/or year(s).) If the abuse took place over a period of time, please state when it started and when it stopped (months and years if possible).

- i. Start date of acts of abuse: \_\_\_\_\_
- ii. End date of acts of abuse: \_\_\_\_\_
- iii. How old were you when the acts of abuse started? \_\_\_\_\_
- iv. How old were you when the acts of abuse stopped? \_\_\_\_\_

- K. Did any of the acts of abuse occur at overnight Scouting activities? If so, please be as specific as possible regarding the location and the activities:

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- L. Did the acts of abuse occur before or after Scouting activities? If yes, please be as specific as possible regarding the location and the activities:

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- M. How old were you at the time of the abuse by each abuser? (If you cannot remember exact age, please provide approximate age.)

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- N. Describe the abuse (check all that apply). With respect to each act of abuse, please describe the frequency of the abuse, including the approximate number of times each act of abuse occurred. Please attach additional pages if needed. Please provide as much detail as you can recall in the lines following the categories and be as specific as possible.

☐ Genital penetration; number of times: \_\_\_\_\_

☐ Oral penetration; number of times: \_\_\_\_\_

☐ Digital penetration; number of times: \_\_\_\_\_

☐ Unclothed touching; number of times: \_\_\_\_\_

☐ Clothed touching; number of times: \_\_\_\_\_

☐ Other (please describe and specify below); number of times: \_\_\_\_\_

- O. Please describe the abuse in as much detail as you can recall in the lines below and be as specific as possible. Please attach additional pages if needed.

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- P. Prior to completing this form, have you ever told anyone, including verbally or in writing, about the abuse at any time? This includes telling someone when you were a child or when you were an adult.  
Yes ☐ No ☐
- Q. Have you ever reported the abuse to law enforcement or investigators? This includes telling someone when you were a child or when you were an adult. Yes ☐ No ☐
- R. If your answer to either of the previous two questions is “yes,” please state the name of each person you told, the date you told them, and the person’s relationship to you. (If you cannot remember exact dates, please provide approximate dates, i.e. month(s) and year(s).) Such persons may include, but are not limited to, parents; siblings; relatives; friends; adult leaders within Scouting; representatives of BSA; representatives of a Local Council; representatives of a sponsoring or chartering organization; attorneys (unrelated to this matter); psychologists, psychiatrists, social workers, counselors; and/or law enforcement authorities.



S. If you remember, has your abuser ever been convicted of sexual misconduct? Yes ☐ No ☐

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T. Did you have any relationship with your abuser outside of Scouting? Check all that apply:

- ☐ Religious organization leader, member, volunteer
- ☐ Family member or relative
- ☐ Coach/athletics
- ☐ Teacher
- ☐ Neighbor
- ☐ Other (please explain and add any other information you remember to the categories above):

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U. Were there any witnesses to the acts of abuse? If there were any witnesses, please list their name(s), their relationship to you or to your abuser, and any contact or other information that you have.

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<b>PART 5: IMPACT OF ABUSE</b>
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(Attach additional sheets if necessary)

**(If you currently cannot describe any harm you have suffered on account of the abuse, you may omit this section for now. However, you may be asked to provide the information requested at a later date.)**

- A. Please describe how you believe you were impacted, harmed, damaged, or injured as a result of the abuse you described above. Please check all that apply and describe in as much detail as you can. This may include, but is not limited to, the categories listed below.

- ☐ Mental health
- ☐ Emotional health
- ☐ Psychological health
- ☐ Physical health
- ☐ Education
- ☐ Employment
- ☐ Family relationships
- ☐ Romantic relationships
- ☐ Marriage(s)
- ☐ Relationships with your children
- ☐ Alcohol and/or substance abuse
- ☐ Other (please explain and add any other information you remember to the categories above):

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- B. Have you ever sought counseling or other mental health treatment for the impacts, harms, damages, and/or injuries described above?

Yes ☐ No ☐

If your response to the prior question is “yes,” please identify the name of each person who provided you with counseling or mental health treatment, their location, the type of counseling or treatment and the estimated dates/time period of counseling or treatment. If you were prescribed medication in connection with such counseling or mental health treatment, please list the name of the medication and how long you took that medication.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

**PART 6: ADDITIONAL INFORMATION****A. Prior Litigation.**

- a. Was a lawsuit filed by you or on your behalf against BSA concerning the abuse described above? Yes ☐ No ☐ (If “Yes,” you are required to attach a copy of the complaint.)
- b. Was a lawsuit filed by you or on your behalf against any other parties related to the Local Councils or organizations that sponsored your troop or pack concerning the abuse described above?  
Yes ☐ No ☐ (If “Yes,” please attach a copy of the complaint.)
- c. Was a lawsuit filed by you or on your behalf against any other parties not already listed in this section concerning the abuse described above? Yes ☐ No ☐ (If “Yes,” please attach a copy of the complaint.)

**B. Payments.** Have you received any payments related to the abuse you have described in this Abuse Survivor Proof of Claim from any party, including BSA? Yes ☐ No ☐

- a. If yes, how much and from whom? \_\_\_\_\_

**C. Prior Settlement.** Did you settle any claim(s) against BSA concerning the abuse described above?

Yes ☐ No ☐ (If “Yes,” you are required to attach a copy of the settlement agreement.)

- a. If yes, have you been paid your settlement amount, and what was the amount of the settlement?  
\_\_\_\_\_

**D. Prior Claims.** Have you filed any claims in any other bankruptcy case relating to the abuse described above?

Yes ☐ No ☐ (If “Yes,” you are required to attach a copy of any completed claim form.)

**E. Bankruptcy.** Have you ever filed for bankruptcy? Yes ☐ No ☐ If “Yes,” please provide the following information:

Name of Case: \_\_\_\_\_ Court: \_\_\_\_\_

Date filed: \_\_\_\_\_ Case No. \_\_\_\_\_

Chapter: 7 ☐ 11 ☐ 12 ☐ 13 ☐ Name of Trustee: \_\_\_\_\_

Did you receive a discharge in the bankruptcy case? Yes ☐ No ☐

<b>SIGNATURE</b>
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**To be valid, this Abuse Survivor Proof of Claim must be signed by the Abuse Survivor.** If the Abuse Survivor is deceased or incapacitated, the form may be signed by the Abuse Survivor's representative or the attorney for the Abuse Survivor's estate. If the Abuse Survivor is a minor, the form may be signed by the Abuse Survivor's parent or legal guardian, or the Abuse Survivor's attorney. (Any form signed by a representative or legal guardian must attach documentation establishing such person's authority to sign this form for the Abuse Survivor.)

<b>The penalty for presenting a fraudulent claim is a fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152, 157 and 3571.</b>
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**Check the appropriate box:**

- ☐ I am the Abuse Survivor.
- ☐ I am the Abuse Survivor's attorney, guardian, kinship (or other authorized) caretaker, executor, or authorized agent.
- ☐ Other (describe): \_\_\_\_\_

**I have examined the information in this Abuse Survivor Proof of Claim and have a reasonable belief that the information is true and correct.**

**I declare under penalty of perjury that the foregoing statements are true and correct.**

**Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Relationship to Abuse Survivor (if not signed by Abuse Survivor):** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Contact Phone:** \_\_\_\_\_

**Email:** \_\_\_\_\_

**Exhibit 10**

**Revised Confidentiality Agreement**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-10343 (LSS)

(Jointly Administered)

**PERMITTED PARTY CONFIDENTIALITY AGREEMENT**

This Agreement (the “Agreement”) is entered into as of \_\_\_\_\_, 2020 by \_\_\_\_\_ (the “Recipient”), a Permitted Party pursuant to paragraph 6 of the *Order, Pursuant to 11 U.S.C. § 502(b)(9), Bankruptcy Rules 2002 and 3003(c)(3), and Local Rules 2002-1(e), 3001-1, and 3003-1, (I) Establishing Deadlines for Filing Proofs of Claim, (II) Establishing the Form and Manner of Notice Thereof, (III) Approving Procedures for Providing Notice of Bar Date and Other Important Information to Abuse Survivors, and (IV) Approving Confidentiality Procedures for Abuse Survivors* [Docket No. [●]] (the “Bar Date Order”) entered on [●] by the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) in Case No. 20-10343 (LSS), *In re Boy Scouts of America and Delaware BSA, LLC* (the “Chapter 11 Cases”).

WHEREAS, the Recipient will be granted access to confidential Abuse Survivor Proof of Claim Forms filed in the Chapter 11 Cases after execution of this Agreement pursuant to and in accordance with the terms of the Order;

WHEREAS, Recipient agrees to keep the information provided in any and all Abuse Survivor Proof of Claim Forms confidential pursuant to and in accordance with the terms of the Order and this Agreement.

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

- (1) The Recipient agrees to keep the information provided in the Abuse Survivor Proof of Claim Forms confidential pursuant to and in accordance with the terms of the Order.
- (2) Recipient agrees to not distribute any Abuse Survivor Proof of Claim Forms or information provided in the Abuse Survivor Proof of Claim Forms in violation of the Confidentiality Protocol in the Order.

<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors’ mailing address is 1325 West Walnut Hill Lane, Irving, Texas 75038.

- (3) Recipient will only communicate information from the confidential Abuse Survivor Proof of Claim Forms with other Permitted Parties, as defined in the Bar Date Order.
- (4) Recipient consents to the jurisdiction of the Court to adjudicate any violation of this Agreement or the Order.
- (5) Recipient shall promptly report any disclosure of information from a confidential Abuse Survivor Proof of Claim Form to the Debtors and the Tort Claimants' Committee, and shall cooperate with efforts to recover the information and/or mitigate the effects of the disclosure.

Dated: This \_\_\_ day of \_\_\_\_\_, 2020

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Name of Permitted Party: \_\_\_\_\_



**Exhibit 11**

**Redline of Revised Confidentiality Agreement**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BOY SCOUTS OF AMERICA AND  
DELAWARE BSA, LLC,<sup>1</sup>

Debtors.

Chapter 11

Case No. 20-~~---~~10343 (~~---~~LSS)

(Jointly Administered)

**PERMITTED PARTY CONFIDENTIALITY AGREEMENT**

This Agreement (the “Agreement”) is entered into as of \_\_\_\_\_, 2020 by \_\_\_\_\_ (the “Recipient”), a Permitted Party pursuant to paragraph ~~56~~ of the *Order, Pursuant to 11 U.S.C. § 502(b)(9), Bankruptcy Rules 2002 and 3003(c)(3), and Local Rules 2002-1(e), 3001-1, and 3003-1, for Authority to* (I) ~~Establish~~Establishing *Deadlines for Filing Proofs of Claim,* (II) ~~Establish~~Establishing *the Form and Manner of Notice Thereof,* (III) ~~Approve~~Approving *Procedures for Providing Notice of Bar Date and Other Important Information to Abuse VictimsSurvivors,* and (IV) ~~Approve~~Approving *Confidentiality Procedures for Abuse VictimsSurvivors* [Docket No. [●]] (the “Bar Date Order”) entered on [●] by the United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) in Case No. 20-~~---~~10343 (~~---~~LSS), *In re Boy Scouts of America and Delaware BSA, LLC* (the “Chapter 11 Cases”).

WHEREAS, the Recipient will be granted access to confidential Abuse Survivor Proof of Claim Forms filed in the Chapter 11 Cases after execution of this Agreement pursuant to and in accordance with the terms of the Order;

WHEREAS, Recipient agrees to keep the information provided in any and all Abuse Survivor Proof of Claim Forms confidential pursuant to and in accordance with the terms of the Order and this Agreement.

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

- (1) The Recipient agrees to keep the information provided in the Abuse Survivor Proof of Claim Forms confidential pursuant to and in accordance with the terms of the Order.

<sup>1</sup> The Debtors in these chapter 11 cases, together with the last four digits of each Debtor’s federal tax identification number, are as follows: Boy Scouts of America (6300) and Delaware BSA, LLC (4311). The Debtors’ mailing address is 1325 West Walnut Hill Lane, Irving, Texas 75038.

- (2) Recipient agrees to not distribute any Abuse Survivor Proof of Claim Forms or information provided in the Abuse Survivor Proof of Claim Forms in violation of the Confidentiality Protocol in the Order.
- (3) Recipient will only communicate information from the confidential Abuse Survivor Proof of Claim Forms with other Permitted Parties, as defined in the Bar Date Order.
- (4) Recipient consents to the jurisdiction of the Court to adjudicate any violation of this Agreement or the Order.
- (5) Recipient shall promptly report any disclosure of information from a confidential Abuse Survivor Proof of Claim Form to the ~~Debtor and the any official committee appointed in the Chapter 11 Cases to represent holders of Abuse Claims~~ Debtors and the Tort Claimants' Committee, and shall cooperate with efforts to recover the information and/or mitigate the effects of the disclosure.

Dated: This \_\_\_ day of \_\_\_\_\_, 2020

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Name of Permitted Party: \_\_\_\_\_